

against the tariff on linotype machines—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of John Marshall, jr.—to the Committee on Claims.

Also, petition of the Hubbard County Clipper, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. BENNETT of Kentucky: Paper to accompany bill for relief of Wheatley D. Cropper, James J. Perry, and Perry G. P. Bruce—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of J. F. Skeens—to the Committee on Pensions.

By Mr. BOWERSOCK: Petition of citizens of Linn County, Kans., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. CAPRON: Paper to accompany bill for relief of William B. Douglas—to the Committee on Invalid Pensions.

By Mr. CHAPMAN: Petition of citizens of Carmi, White County, Ill., against bill H. R. 7067—to the Committee on Indian Affairs.

By Mr. DARRAGH: Petition of Rock Elm Grange, of East Jordan, Charlevoix County, Mich., for a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Montcalm County, Cedar Lake, Reading, and Clear County, Mich., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. DUNWELL: Petition of Gens. Green B. Raum, Crawford, and Birney, for bill S. 2162, creating a volunteer retired list for surviving generals of volunteers—to the Committee on Military Affairs.

Also, petition of citizens of New York State, for relief of the landless Indians in northern California—to the Committee on Indian Affairs.

Also, petition of the American Reciprocal Tariff League, favoring a commission of an advisory character, of economic experts, to adjust the tariff schedules from time to time—to the Committee on Ways and Means.

Also, petition of the Christian Social Club, for relief of the landless Indians of California—to the Committee on Indian Affairs.

Also, petition of Republican Club of New York, for the merchant marine shipping bill (S. 529)—to the Committee on the Merchant Marine and Fisheries.

By Mr. FLOYD: Paper to accompany bill for relief of Alexander Dixon—to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of the Woman's Health Protective Association, of New York, for bills S. 50, H. R. 4462, and S. 2962, relative to child labor and a children's bureau in the District of Columbia—to the Committee on the District of Columbia.

By Mr. GARRETT: Paper to accompany bill for relief of George T. Welch—to the Committee on Invalid Pensions.

By Mr. GILLESPIE: Petition of ladies of Weatherford, Tex., for preservation of Niagara Falls—to the Committee on Rivers and Harbors.

By Mr. GOLDFOGLE: Petition of "The Charities and The Commons," approving of legislation now pending on the sanitary improvement of the District of Columbia—to the Committee on the District of Columbia.

By Mr. GRANGER: Petition of the League of Improvement Societies of Rhode Island, for forest reservations in the White Mountains and the Southern Appalachian Mountains—to the Committee on Agriculture.

By Mr. HAMILTON: Petition of Kridler Post, No. 575, Grand Army of the Republic, for granting additional pensions to soldiers who were prisoners—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Petition of Golden Rule Council, of Perinsville, N. J., favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, petition of citizens of Watertown, N. J., for transportation of mail matter in book form suited to the uses of the blind for 1 cent per 4 ounces—to the Committee on the Post-Office and Post-Roads.

By Mr. KNOWLAND: Paper to accompany bill for relief of Charles M. Mayberry—to the Committee on Military Affairs.

By Mr. LEE: Paper to accompany bill for relief of Marion F. and Dr. M. Westbrooks—to the Committee on Military Affairs.

By Mr. LOUDENSLAGER: Petition of Berlin Grange, of Camden, N. J., against the ship-subsidy bill (S. 529)—to the Committee on the Merchant Marine and Fisheries.

By Mr. McCALL: Paper to accompany bill for relief of Edward T. Lincoln—to the Committee on Invalid Pensions.

By Mr. MORRELL: Petition of the Philadelphia Board of Trade, for consolidation of third and fourth class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. PATTERSON of Tennessee: Petition of the Memphis and Shelby County Medical Society, for Federal control of quarantine—to the Committee on Interstate and Foreign Commerce.

By Mr. REID: Paper to accompany bill for relief of John S. Houston—to the Committee on War Claims.

By Mr. SMITH of California: Petitions of citizens of Escondido, Cal., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

Mr. STEVENS of Minnesota: Petition of Camp A. R. Patterson, No. 1, Minnesota Division, Army of the Philippines, for special medals to Philippine volunteers—to the Committee on Military Affairs.

By Mr. WOOD of New Jersey: Petition of the Beebe-Webber Company, of Holyoke, Mass.; Hanscom Brothers, of Fall River, Mass., and the Forest City Woolen Mill Company, of Cleveland, Ohio, against bill H. R. 8988 (the metric system bill, Liltner bill)—to the Committee on Coinage, Weights, and Measures.

Also, paper to accompany bill for relief of Mary Clark—to the Committee on Invalid Pensions.

SENATE.

SATURDAY, April 21, 1906.

The Chaplain, Rev. EDWARD E. HALE, offered the following prayer:

Let us now praise famous men and our fathers that begot us. The Lord hath wrought great glory by them through his great power from the beginning. Leaders of the people by their counsels and by their knowledge of learning meet for the people, wise and eloquent in their instructions.

Let us pray.

Father, we thank Thee for the fathers who founded this nation, and we thank Thee for those who went before the fathers who founded the colonies and made these States, for the men who knew God and believed in God, and planted their State on the everlasting foundations, who knew no king but the King of kings, and no Lord but the Lord of lords. We thank Thee that such men and their children live to-day, that they are with Thee in bringing in Thy kingdom, and we ask Thee that the spirit that was in the fathers may be with us to-day, even in our calamities; that we may bear calamity as the children of the living God; in our prosperity that we may give Thee the praise and not take it for ourselves.

Be with the Congress, Father. Be with all the States. Be with the President. Be with all the nations, to bind all men together in one. We ask it in Christ Jesus.

Our Father who art in Heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is done in Heaven. Give us this day our daily bread. Forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory, forever and ever. Amen.

THE JOURNAL.

The Journal of yesterday's proceedings was read and approved.

THE EARTHQUAKE IN CALIFORNIA.

Mr. PERKINS. Mr. President, the cablegram of the vice-president of the Brazilian Senate to the Vice-President of the United States and President of the United States Senate, expressing the sympathy of that body for the people of San Francisco and other communities in California overtaken by a great catastrophe, will be appreciated by the people of my afflicted State; and while voicing the sentiments of the Senate of the United States, I desire also to make in their behalf heartfelt acknowledgment.

I must also take this opportunity to acknowledge the great debt of gratitude due to the Government of the United States for the large sums of money contributed in aid of sufferers and the splendidly efficient manner in which the different departments are carrying on their work of relief; and to the people of the different States and cities of the Union who have contributed millions upon millions of dollars to assist the homeless, the hungry, and the suffering. I desire to say that California will never be able to express adequately its deep appreciation.

Mr. President, in this same connection I want to thank the great railroads of this country for the prompt and cheerful manner in which they have given precedence to supplies of all kinds that are being forwarded to the suffering people of my State.

They have given precedence over all other business in order to forward promptly the succor to the distressed. The two great railroads entering my home city are carrying free the homeless and destitute to other parts of the country, where they can receive food and shelter.

Great disasters like that which has occurred on the Pacific coast bring out most strongly the fact that the different peoples of this world are after all one in human sympathy, and that the differences of race and language are external only, which are swept away by calamity, bringing out clearly the ultimate fact that all men are brothers, whatever portion of the globe they inhabit. As kindness and consideration are vastly helpful to the individual overwhelmed by a great loss, so will the expressions of brotherly sympathy from the different nations of the earth help my afflicted State to bear more easily her great burden of sorrow.

I believe that our stricken city will recover from the blow with wonderful rapidity, and will justify the design of its official seal, which bears a phoenix issuing, new born, from the flames, with the motto, "Oro en paz, ferro en guerra," which translated means "Gold in peace, iron in war." In her present war with the elements San Francisco will show her mettle, and will surely rise again and continue to be the great metropolis of the Pacific Coast States.

Mr. President, I move that the Vice-President of the United States and President of the United States Senate make to the Senate of the Brazilian Government proper acknowledgment of the cablegram received and laid before the Senate yesterday evening.

The motion was unanimously agreed to.

FINDINGS OF COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Julia M. Woods and Mary E. Hagan, daughters, Mary J. Edelen and William M. Junkin, grandchildren of David X. Junkin, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of John Hubbard *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Stephen A. Norfleet, administrator of Ernest Norfleet, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Ira C. Whitehead *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Mabel G. Smith, daughter of Thomas Smith, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of George G. Clay *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of John M. Steele *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Horatio L. Wait *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified

copy of the findings of fact filed by the court in the cause of Samuel W. Latta *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Mary H. Corbett, granddaughter of Samuel Howard, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Albert Buhner *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Alice S. Jordan, widow of John W. Jordan, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Harriet C. Brown, administratrix of Thomas R. Brown, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of John B. Briggs *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Henry H. Clark *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Edward K. Rawson *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Alameda B. Bates, daughter of John A. Bates, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Maria S. Wright, sister of Arthur H. Wright, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Mary H. Nicholson, widow of James W. A. Nicholson, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Robert H. McLean *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Mrs. George C. Hagan, widow (remarried) of John G. Mitchell, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Caroline H. Broadhead, widow of Edgar Broadhead, deceased, *v. The United States*; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the

assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of the Trustees of the Baptist Church of Culpeper, Va., v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Marianne D. Lemelle, administratrix of the estate of Rigobert Lemelle, deceased, v. The United States; which, with the accompanying paper, was referred to the Court of Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the House had passed a bill (H. R. 4599) to remove the charge of desertion from the military record of Wakeland Heryford; in which it requested the concurrence of the Senate.

The message also announced that the House insists upon its amendments to the bill (S. 4250) to further enlarge the powers and authority of the Public Health and Marine-Hospital Service, and to impose further duties thereon, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEPBURN, Mr. WANGER, and Mr. BARTLETT managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the Vice-President:

S. 97. An act granting an increase of pension to Thomas F. Carey;
 S. 98. An act granting an increase of pension to Doris F. Clegg;
 S. 230. An act granting an increase of pension to Alfred Woodin;
 S. 249. An act granting an increase of pension to Alfred F. Sears;
 S. 306. An act granting a pension to Cassy Cottrill;
 S. 337. An act granting an increase of pension to Lydia Ann Jones;
 S. 450. An act granting an increase of pension to James Flynn;
 S. 487. An act granting an increase of pension to William Sprouse;
 S. 518. An act granting an increase of pension to William T. Godwin;
 S. 520. An act granting an increase of pension to William D. Johnson;
 S. 524. An act granting an increase of pension to Lestina M. Gifford;
 S. 558. An act granting an increase of pension to Abijah Chamberlain;
 S. 563. An act granting an increase of pension to Thomas Martin;
 S. 657. An act granting an increase of pension to Mary J. Reynolds;
 S. 674. An act granting an increase of pension to Thomas A. Agur;
 S. 829. An act granting an increase of pension to James Gannon;
 S. 835. An act granting an increase of pension to John W. Scott;
 S. 914. An act granting an increase of pension to Edwin R. Hardy;
 S. 920. An act granting an increase of pension to Abraham S. Brown;
 S. 975. An act granting an increase of pension to James Shaffer;
 S. 1012. An act granting an increase of pension to Samuel H. Foster;
 S. 1105. An act granting an increase of pension to Harriet Williams;
 S. 1162. An act granting an increase of pension to Nelson Cook;
 S. 1165. An act granting an increase of pension to James Moss;
 S. 1203. An act granting a pension to Albert B. Lawrence;
 S. 1302. An act granting an increase of pension to William A. Murray;
 S. 1338. An act granting an increase of pension to Thomas Claiborne;
 S. 1349. An act granting an increase of pension to Daniel C. Earle;

S. 1352. An act granting an increase of pension to Michael Scannell;
 S. 1354. An act granting a pension to Lydia Jones;
 S. 1376. An act granting a pension to Adam Werner;
 S. 1377. An act granting an increase of pension to John R. Brown;
 S. 1398. An act granting an increase of pension to Edmund Morgan;
 S. 1406. An act granting an increase of pension to Moses Hill;
 S. 1407. An act granting a pension to John McCaughen;
 S. 1415. An act granting an increase of pension to Alexander Esler;
 S. 1434. An act granting an increase of pension to Samuel Derry;
 S. 1435. An act granting an increase of pension to Lewellen T. Davis;
 S. 1614. An act granting a pension to Kate E. Young;
 S. 1667. An act granting an increase of pension to John A. Stockwell, alias John Stockwell;
 S. 1733. An act granting an increase of pension to George W. Trice;
 S. 1884. An act granting an increase of pension to Frederic W. Swift;
 S. 1910. An act granting an increase of pension to Theodore McClellan;
 S. 1919. An act granting an increase of pension to Louise M. Wynkoop;
 S. 1952. An act granting an increase of pension to Jesse Alderman;
 S. 1953. An act granting an increase of pension to Charles M. Benson;
 S. 1962. An act granting an increase of pension to Julia Baldwin;
 S. 2033. An act granting an increase of pension to David Tremble;
 S. 2050. An act granting an increase of pension to Jotham T. Moulton;
 S. 2077. An act granting an increase of pension to Alice A. Arms;
 S. 2094. An act granting an increase of pension to Rodney W. Torrey;
 S. 2102. An act granting an increase of pension to George W. Lucas;
 S. 2115. An act granting a pension to Carrie E. Costinett;
 S. 2287. An act granting an increase of pension to James V. Pope;
 S. 2378. An act granting an increase of pension to Maria Leuckart;
 S. 2452. An act creating an additional land office in the State of North Dakota;
 S. 2507. An act granting an increase of pension to William Wheeler;
 S. 2540. An act granting an increase of pension to Benjamin S. Miller;
 S. 2549. An act granting an increase of pension to George W. Boyles;
 S. 2552. An act granting an increase of pension to Louise J. D. Leland;
 S. 2568. An act granting an increase of pension to Noah C. Fowler;
 S. 2574. An act granting an increase of pension to Parker Pritchard;
 S. 2575. An act granting an increase of pension to Thomas W. Waugh;
 S. 2577. An act granting an increase of pension to Francis M. Lynch;
 S. 2638. An act granting an increase of pension to Thomas B. Whaley;
 S. 2667. An act granting an increase of pension to Benjamin W. Valentine;
 S. 2670. An act granting an increase of pension to Marie J. Spicely;
 S. 2689. An act granting an increase of pension to Alonzo M. Bartlett;
 S. 2725. An act granting an increase of pension to John Mather;
 S. 2733. An act granting an increase of pension to Charles Crismon;
 S. 2736. An act granting an increase of pension to James Williams;
 S. 2745. An act granting an increase of pension to Zerelda N. McCoy;
 S. 2772. An act granting an increase of pension to Charles H. Niles;

S. 2790. An act granting an increase of pension to William J. Millett;
 S. 2795. An act granting an increase of pension to John Albert;
 S. 2832. An act granting a pension to Susan Penington;
 S. 2952. An act granting an increase of pension to William A. Gipson;
 S. 2953. An act granting an increase of pension to Mary L. Burr;
 S. 2970. An act granting an increase of pension to Thomas E. Keith;
 S. 2973. An act granting an increase of pension to Minard Van Patten;
 S. 3024. An act granting an increase of pension to David S. Trumbo;
 S. 3035. An act granting an increase of pension to Charles W. Shedd;
 S. 3112. An act granting an increase of pension to James H. Gardner;
 S. 3182. An act granting an increase of pension to Walter Lynn;
 S. 3222. An act granting an increase of pension to Henry Golder;
 S. 3232. An act granting an increase of pension to Mary Jane Schnure;
 S. 3252. An act granting an increase of pension to David F. Crampton;
 S. 3254. An act granting an increase of pension to Anna Frances Hall;
 S. 3257. An act granting an increase of pension to Walter Green;
 S. 3284. An act granting an increase of pension to Charles B. Fox;
 S. 3296. An act granting an increase of pension to Patrick Burk;
 S. 3297. An act granting an increase of pension to George Conklin;
 S. 3298. An act granting an increase of pension to John B. Ashelman;
 S. 3300. An act granting an increase of pension to Lorenzo D. Huntley;
 S. 3303. An act granting a pension to Harriett B. Summers;
 S. 3419. An act granting an increase of pension to Joseph H. Beale;
 S. 3465. An act granting an increase of pension to John T. Vincent;
 S. 3484. An act granting an increase of pension to Jacob A. Field;
 S. 3493. An act granting an increase of pension to Thomas Reed;
 S. 3520. An act granting an increase of pension to Ada A. Thompson;
 S. 3524. An act granting an increase of pension to John N. Henry;
 S. 3525. An act granting an increase of pension to Robert G. Harrison;
 S. 3532. An act granting an increase of pension to Anna K. Carpenter;
 S. 3566. An act granting an increase of pension to John Carpenter;
 S. 3584. An act granting an increase of pension to Peter Quermbeck;
 S. 3598. An act granting an increase of pension to Charles D. Brown;
 S. 3613. An act granting an increase of pension to Martha E. Wardlaw;
 S. 3641. An act granting an increase of pension to William P. Marshall;
 S. 3653. An act granting an increase of pension to Francis J. Keffer;
 S. 3676. An act granting an increase of pension to James M. McCorkle;
 S. 3811. An act granting an increase of pension to Ephraim Winters;
 S. 3812. An act granting an increase of pension to Truman R. Stinehour;
 S. 3817. An act granting a pension to Margaret Lewis;
 S. 3819. An act granting an increase of pension to William H. Houston;
 S. 3821. An act granting an increase of pension to Henry Wilhelm;
 S. 3834. An act granting an increase of pension to Robert McCalvy;
 S. 3835. An act granting an increase of pension to Luther M. Royal;

S. 3839. An act granting an increase of pension to John T. Brothers;

H. R. 5976. An act to provide for the final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes;

H. R. 16133. An act to simplify the issue of enrollments and licenses of vessels of the United States;

H. R. 17135. An act providing that the State of Montana be permitted to relinquish to the United States certain lands heretofore selected and select other lands from the public domain in lieu thereof;

H. R. 18334. An act making an appropriation to supply a deficiency in the appropriation for bringing home remains of officers and men of the Navy and Marine Corps who die abroad;

S. R. 46. Joint resolution to fill a vacancy in the Board of Regents of the Smithsonian Institution; and

S. R. 49. Joint resolution construing the joint resolution approved April 19, 1906, entitled "Joint resolution for the relief of sufferers from earthquake and conflagration on the Pacific coast."

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented the petition of John M. Kairies, of Mount Vernon, N. Y., praying that an investigation be made of the losses sustained by him through his having been expelled from Russia by order of the Russian Emperor; which was referred to the Committee on Foreign Relations.

He also presented the petition of F. E. Garner, of Union, Miss., praying for the enactment of legislation to require manufacturers and shippers of foods for interstate shipment to label their foods and print the ingredients contained in them on each package thereof; which was referred to the Committee on Interstate Commerce.

Mr. CULLOM presented a petition of Kishwaukee Lodge, No. 310, Brotherhood of Railroad Trainmen, of Belvidere, Ill., and a petition of Aurora Division, No. 32, Brotherhood of Locomotive Engineers, of Aurora, Ill., praying for the passage of the so-called "employers' liability bill;" which were referred to the Committee on Interstate Commerce.

Mr. GALLINGER presented a petition of the Wolfeboro National Bank, of Wolfeboro, N. H., and a petition of the Hubbard & Moffitt Commission Company, of St. Louis, Mo., praying for the adoption of a certain amendment to the present bankruptcy law; which were referred to the Committee on Finance.

He also presented petitions of the New Hampshire State Grange, Patrons of Husbandry, of Peterboro, and of sundry citizens of Keene and Whitefield, all in the State of New Hampshire, praying for the enactment of legislation to remove the duty on denaturalized alcohol; which were referred to the Committee on Finance.

He also presented petitions of Mrs. John A. Logan, of the Department of the District of Columbia, United Spanish War Veterans; of the Woman's Relief Corps, Department of the Potomac, Grand Army of the Republic, all of Washington, D. C., praying for the enactment of legislation providing for the purchase of a temporary home in the District of Columbia for ex soldiers and sailors of the late wars; which were referred to the Committee on the District of Columbia.

REPORT OF A COMMITTEE.

Mr. HEYBURN, from the Committee on Manufactures, to whom was referred the amendment submitted by himself on the 5th instant, proposing to appropriate \$2,000 for the salary of a chief clerk of the Bureau of Manufactures, Department of Commerce and Labor, and also to provide for additional clerks for that Bureau, intended to be proposed to the legislative, executive, and judicial appropriation bill, submitted a favorable report thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

BILLS INTRODUCED.

Mr. LODGE (by request) introduced a bill (S. 5794) to authorize the President of the United States to appoint a commission to consider and recommend a system of national parks for military, historical, and other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WARNER introduced a bill (S. 5795) for the relief of Francis M. Sheppard; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5796) to authorize the construction of a bridge across the Missouri River and to establish it as a post-road; which was read twice by its title, and referred to the Committee on Commerce.

Mr. SIMMONS introduced a bill (S. 5797) granting a pension to Martha A. Wright; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 5798) granting an increase of pension to Charles Hunsley; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BURKETT introduced a bill (S. 5799) to establish the true status of the Nebraska Territorial Militia; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. OVERMAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 5800) granting an increase of pension to James N. Davis; and

A bill (S. 5801) granting an increase of pension to Andrew Jackson Parris.

TARIFFS OF FOREIGN COUNTRIES.

Mr. HEYBURN submitted an amendment proposing to appropriate \$3,500 for the collating and arranging of the tariffs of foreign countries in form for distribution, etc., intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

PRESERVATION OF NIAGARA FALLS.

On motion of Mr. CULLOM, it was

Ordered, That the hearings before the Committee on Foreign Relations of the United States Senate in regard to the preservation of Niagara Falls be printed as a Senate document.

JUDICIAL REVIEW REGARDING RAILROAD RATES.

Mr. LODGE. Mr. President, a very brief article appeared in the Washington Post of yesterday containing a summary of the different views expressed by the Interstate Commerce Commission on the question of rate review. It is a very valuable and a brief compilation. I ask that it may be printed as a Senate document, and that it also be placed in the RECORD.

The VICE-PRESIDENT. The Senator from Massachusetts asks that a certain compilation from the Washington Post of yesterday be printed as a document and also in the RECORD. Is there objection?

Mr. ALLISON. I should like to ask the Senator from Massachusetts if the subject of the compilation is not in the testimony taken by the Committee on Interstate Commerce, which has been reported to the Senate?

Mr. LODGE. It is entirely selected from the testimony, but will save a great deal of time in the matter of reference.

Mr. SCOTT. It is brief.

Mr. LODGE. It is brief. It comprises only two columns. It takes out certain extracts from the testimony and places them in a form which will be very convenient for reference.

Mr. ALLISON. I have no doubt of that. I do not object to the request.

Mr. LODGE. It is all in the testimony.

Mr. ALLISON. I only wanted to know that it was taken from the testimony.

Mr. MONEY. I ask if the matter the Senator from Massachusetts has introduced and asked to have printed has been referred to the Committee on Printing for an estimate of the cost?

Mr. LODGE. It does not have to be estimated for. It does not cost anything like the amount allowed by the rule. It comprises only a couple of columns, and the cost will be far inside the limit. It would not cost \$10 to print it as a document.

Mr. MONEY. Mr. President, I am not trying to play economist. I have no doubt the Senator from Massachusetts knows very well what he is doing, and I have no doubt that it is what I approve; but I asked for some printing here of a most valuable character, which was rejected because it would cost something. It always costs something to print.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

BROAD RATE REVIEW—OPINIONS OF INTERSTATE COMMERCE COMMISSIONERS—WHAT THEIR BILL PROVIDES—OFFICIAL RECOMMENDATIONS TO CONGRESS AND INDIVIDUAL EXPRESSIONS OF OPINION BEFORE SENATE COMMITTEE CLEARLY DEFINE ATTITUDE OF MEMBERS OF COMMISSION ON SUBJECT OF JUDICIAL REVIEW.

An advocate of broad court review, broad enough to protect all parties in interest, referring to the alleged controversy in the Democratic conference in regard to it, called attention yesterday to a line of highly pertinent evidence upon the subject which seems to have been overlooked in the argument.

An interesting fact that apparently has been lost sight of in the Senate debate on the character of the judicial-review provision to be inserted in the Hepburn bill is that the Interstate

Commerce Commissioners, both collectively and individually, are on record as favoring the broadest judicial review, without any limitation on the right of the courts to grant preliminary injunctions. As a matter of fact, the members of the Commission, although they have at times been charged with seeking undue power, have never sought to have conferred upon them the despotic and autocratic authority over the transportation business and commerce of the country that some of the proposed amendments to the Hepburn bill seek to confer upon them.

The act to regulate commerce, constituting the Commission, specifically requires it to make such recommendations as to additional legislation as it may deem necessary, and the Commission has never failed to carry out this requirement.

NEVER SUGGESTED ABRIDGMENT.

In all of its recommendations in favor of legislation conferring the rate-making power, however, it has never suggested that the power of the courts to review its orders should be abridged in any way. On the contrary, its suggestions as to legislation, whenever put into concrete form, as in the bill prepared at the beginning of this session, and as voiced by the individual members of the Commission before Congressional committees, have contemplated the exercise by the courts of broad powers of review without any restriction upon the right of a reviewing court to issue preliminary injunctions or any other orders ordinarily employed by the courts. It might be expected that the recommendations of these men, who are devoting all of their time to the study of transportation problems and of the best means of correcting abuses, especially when those recommendations relate to the powers to be exercised by them, would have great weight with Congress. Especially might it be expected that the legislative branch of the Government, always jealous of encroachments on the part of the executive, might be reluctant to confer upon administrative officials, responsible only to the President of the United States, a large measure of legislative power without surrounding such grant of authority with every possible safeguard and restriction. It is scarcely to be expected that Congress will deliberately go further in the direction of conferring autocratic powers on administrative officials than those officials themselves have recommended.

THE COMMISSIONERS' BILL.

The latest and most specific recommendation of the Interstate Commerce Commissioners is contained in their draft of a bill submitted to the Senate Committee on Interstate Commerce at the beginning of the present session of Congress. In that bill they ask Congress to provide that "any carrier may, within thirty days from the service upon it of any order, other than an order for the payment of money, begin in the circuit court of the United States for the district in which its principal operating office is situated, proceedings to set aside and vacate such order. * * * Such proceedings shall be begun by filing on the equity side of the court a petition or bill in equity, which shall briefly state the matters embraced in such order and the particulars in which it is alleged to be unlawful, and in such proceedings the complainant and the Commission shall be made defendants."

There is no suggestion here as to the limitation of the jurisdiction of the court in any way or of any restriction on the powers of the court to issue a preliminary injunction or any other order. Further, the bill proposes to provide explicitly that "upon the filing of such a petition the circuit court may, upon such notice to the complainant and to the Commission as the court deems proper, extend the time within which such order shall take effect, not to exceed in all sixty days from the date of service of the order upon the carrier." It also proposes to provide explicitly for the issuance of preliminary injunctions by the provision that "the court may also, if it plainly appears that the order is unlawful, and not otherwise, suspend the operation of the order during the pendency of the proceedings or until the further order of the court."

PROVISIONS AS TO FINES.

Under this bill it is only in the event that no proceedings are taken to vacate an order within thirty days or that such proceedings are not successful that it becomes a "final order." The bill proposes the same heavy fine of \$5,000 for each offense for failure to put an order into effect and the same proceedings for the enforcement of an order, with the important difference that under the Commission bill the fine would not apply and the proceedings could not be commenced until the order had become "a final order" either by being acquiesced in by the carrier or by the failure of proceedings in the court to vacate it.

In the report of the Commission for 1904 legislation to empower the Commission to fix rates is recommended, and the Commission says that if its decision "is wrong—if it would deprive the carrier of property without due process of law or

evade any of its other rights or privileges under the Constitution or laws of the United States—its operation could be enjoined upon showing to that effect by the carrier in a suitable and summary proceeding in the Federal court." There is no suggestion here that the courts should be restricted to the protection of the carrier in its constitutional rights, but the suggestion is for the broadest possible review, for the protection of the carrier in every right to which it might be entitled, and for a summary injunction for the protection of those rights.

Not only collectively, but individually, the members of the Commission have frequently gone on record in favor of broad judicial review, and of the exercise by the courts of the power of preliminary injunction.

CHAIRMAN KNAPP'S VIEWS.

Chairman Knapp, when he was before the Senate committee last spring, thought that the inquiry of the court of review ought not to be confined to the question of the reasonableness and lawfulness of the new rate ordered by the Commission, but ought to extend to the question of whether the Commission had erred in its condemnation of the original rate. In reply to a question by Senator CLAPP, he said: "I anticipate that when a decision of the Commission is taken to court, under any scheme that you are considering, the vital question will be, Was the Commission right in its condemnation of the rate complained of?" Again he said: "The carrier which is unwilling to accept the adjudication and order of the Commission, and wishes to review that, should have the right to review the condemnation of the rate complained of as well as the rate put in substitution. It seems to me that is within the range of justice."

COMMISSIONER PROUTY HEARD.

Commissioner Prouty, than whom there has been no more zealous advocate of extending the powers of the Commission, in his testimony before the Senate committee said: "I have never advocated the exercise of that power (the power to make rates) by the Commission without the right of review." Farther on, speaking of the character of review, he said: "It seems to me that a court should presume in favor of a rate exactly what it presumes in favor of a statute. It should presume it is reasonable; but if it clearly appears to be unreasonable, it should set it aside, and should do that although the railroad is making 100 per cent on its investment. From what I have seen of the operation of this right under the fourteenth amendment and the acts of State commissions, I have felt that it did not afford to the railroad the full measure of protection which it deserved, and I have advocated the creation of a special court, which should be an expert court, upon the theory that the court may exercise, if it were given the power to review the lawfulness of a rate, some additional power to what it could exercise under the fourteenth amendment."

Mr. Prouty indicated that he would shrink from the responsibility of exercising the rate-making power under a law that did not provide for a broad judicial review, saying: "You may take any three judges in this land, I do not care who they are, and let them hear these questions from one year's end to the other, let them become familiar with every condition which surrounds the railway transportation of this country, and I will, as an Interstate Commerce Commissioner, prefer to be reviewed by a body of that sort than to have the absolute power to make the rates without review, because I am conscious of the fact that I might make mistakes, and I think I might sometimes decide in favor of the public in that case where I would not in the other." Aside from the question of policy, Mr. Prouty did not believe that Congress could take away from the courts the right to suspend temporarily the enforcement of an order. In reply to a question by Senator CULLOM, as to whether he would have the rate take effect immediately, he said: "I do not think you can say anything about that. I think the court has an absolute right to decide and suspend any rate which any commission may make, and that you can not help it. * * * It seems to me that a rate ought to stand in abeyance long enough to permit a railroad company to take any steps it wanted to take."

WHAT COMMISSIONER FIFER SAID.

Commissioner Fifer indicated that he was in harmony with his colleagues on this subject, though he barely touched on it. In discussing the question of how long an order made by the Commission should remain in effect, he said: "I think if you pass a law giving the Commission the right to condemn a rate when it is challenged, and the right to say what a reasonable rate is and put it into operation, and then fix a time when it shall go out, unless it is reviewed and reversed by some court—I would not cut that off—I think that would be sufficient elasticity."

Commissioner Clements, when he was before the House committee, said he did not see any reason why the exercise of the

rate-making power by the Commission should not be subject "to any judicial review that is possible to be had under constitutional and legal methods." He can see no reason for any limitation whatever on the power of review, but would subject the Commission to "any judicial review that is possible to be had." No one in the Senate proposes to go further than this.

COMMISSIONER COCKRELL EXPLICIT.

Commissioner Cockrell, whose views might be expected to have even more weight with his former colleagues in the Senate than those of the other Commissioners, was very explicit in his advocacy of the broadest kind of judicial review. When he was before the Senate committee he said: "I would authorize the railroads, after the lapse of a reasonable time from the decision and order of the Commission, to go into the existing courts of the United States, if they desired to contest the ratings found by the Commission. The burden of proof would be on them to show that the rate fixed by the Commission was not a reasonable and just rate, and in that case the court would have full jurisdiction to determine whether the rate first established by the railroads and declared to be unreasonable by the Commission was an unreasonable or unjust rate."

"The court would likewise have the authority to say whether the rate fixed by the Commission was a reasonable and just rate, and the court might decide, and, in my judgment, the court would be compelled to decide the question." Further on he said: "If the rate fixed by the Commission was such a rate as would result in great and speedy harm to them (the carriers involved), they could get out an injunction. You must remember that they have twenty or thirty days before the rate goes into effect after it has been ordered by the Commission. Now, they have that time within which to get out an injunction, and if it was a case where they would have no remedy and they had collected the small rate and could not collect the other, and they should show clearly that what the Commission had done was an irreparable wrong, the court would suspend it until the court could hear the question."

HEPBURN BILL FIRST TO DENY IT.

These quotations from members of the Commission might be still further extended and the testimony of other advocates of giving the Commission rate-making power might be cited to show that until the Hepburn bill was brought forward the idea of narrowing the judicial review of orders of the Commission and of denying to the courts the right of suspension pending review had not been seriously advocated.

HOUSE BILL REFERRED.

H. R. 4599. An act to remove the charge of desertion from the military record of Wakeland Heryford, was read twice by its title, and referred to the Committee on Military Affairs.

MEMORIAL ADDRESSES ON THE LATE SENATOR ORVILLE H. PLATT.

Mr. BULKELEY. Mr. President, some weeks ago I gave notice that after the close of the routine morning business this day I would ask the Senate to consider resolutions in regard to the life, character, and public service of my former colleague, Hon. ORVILLE H. PLATT. I send the resolutions to the desk and ask that they may be read.

The VICE-PRESIDENT. The Secretary will read the resolutions submitted by the senior Senator from Connecticut.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of Hon. ORVILLE HITCHCOCK PLATT, late a Senator from the State of Connecticut.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Mr. BULKELEY. Mr. President, since the close of the last session of the Congress Connecticut has been deprived by death of the service of its distinguished citizen and Senator, ORVILLE HITCHCOCK PLATT, whose life, character, and public service we here recognize, and this day commemorate. For five consecutive terms he had been chosen with rare unanimity to represent his native State in this great legislative body.

Senator PLATT was a profound student of colonial history, especially as connected with the Connecticut colony and State; an enthusiastic admirer of the exalted type and high character of the men that were instrumental in its early settlement and development, and a loyal devotee of the representative form of government which they conceived and established. He was a firm believer in the inspiring and godly faith which led them, without love of adventure or hope of worldly gain, to sever the ties of home and country and family, and to seek in a new and unknown land an abiding place where they might worship

their God in their own way and according to the dictates of their own conscience.

"Small time had they then for the mere ideal;
Their love was truth, their present life all real.
They walked the world, faith's vision never dim;
Saw not God's works, they only gazed on Him."

These men, Pilgrim and Puritan alike, were well equipped for the Master's work which they had undertaken and to which they had devoted their lives. Their religious enthusiasm and their unbounded faith inspired them with undaunted courage to struggle with privations and adversities, to conquer the wilderness and the treacherous foes with whom they were surrounded and constantly contending in their new settlements. The love of liberty, strengthened by the remembrance of the tyranny from which they had escaped, actuated them to conceive and inaugurate a government of the people, so beneficial in its character, so ideal in its simple mechanism, so perfect in workings that it has been handed down from generation to generation, modified in its organization, but its principles and its integrity preserved.

The compact signed in the cabin of the *Mayflower*, followed by the written constitution framed by the founders of the Connecticut colony, and confirmed by royal charter, was the foundation of written constitutional government throughout the world, and under these governmental concessions Connecticut, both as a Colony and a State, lived for nearly two centuries.

The religious element in these new-founded settlements for a long time naturally predominated in public as well as in churchly affairs; church and state were closely allied throughout the formative period of colonial life, and the influence of the pastors was almost unlimited; they were the teachers as well as the ministers, supervised the educational privileges of their several communities—simple though they were in the early days—and frequently filled the place of the good physician and counselor.

The meetinghouse was the active center of the community life. Within its doors all public interests were discussed and action determined. It was often used as a place of refuge for protection and defense, and on the Sabbath for a place of worship; the meetinghouse and the schoolhouse grew up side by side, and over both the pastor ordinarily presided.

Of the men of the times of which I have spoken it is appropriately written on a memorial tablet erected to commemorate the lives of the first settlers of one of our ancient Connecticut towns, among whom were numbered Richard Platt and Mary, his devoted wife, the ancestral heads of the family in America:

"God sifted a whole nation that he might send choice grain into the wilderness."

Men of such character and abilities, founding such institutions as they established, religious, governmental, and educational, could not fail to leave the impress of their lives upon their own times and upon the generations of men that were to follow them. I venture the thought that from the colonial life and works of these men our great Senator gathered the inspiration and power which controlled his own long and useful life. In an impressive historical address, delivered on the occasion of the one hundred and seventy-fifth anniversary of the first church of the town in which he lived, having in mind the early days and their influence upon the present, he spoke these words:

"There is one word in our language of wonderful significance, which no definition that has been written completely expresses; that is 'influence.' I like to believe, and do believe, that no good deed was ever done, no good word was ever fitly spoken by any human being that is not to-day a living force and power in the world; that the world is what it is because of the deeds done and the words spoken by those who have gone before, not only by the remembered great, but the humble, unremembered souls sleeping in unknown graves. If man is immortal, he as truly lives in the past as he will in the future. We bury the body, but the unbound spirit lives and labors. Thoughts are forces; words are agencies; deeds are power."

Of the life of the settler-immigrant and his immediate descendants written history gives but little record, but we find that Richard Platt, with his wife Mary, with their children, arrived from England and located in the New Haven colony. It is reasonable to assume that he was dissatisfied with governmental or religious conditions—in this colony they were closely united—for in 1639 he, with sixty others, organized a new church society and removed to and settled the town of Milford, where he lived throughout his life. It is well to remember that differences in doctrine and practice led generally to the formation of a new church society and eventually to the settlement of a new town, to which the disagreeing element would remove.

Richard Platt and his descendants were prominent factors in the communities in which they lived, served their fellows both in civil and church office, and were often honored with military rank in the local train-band. During the war of the Revolution

father and son fought side by side in the Continental Army. At the close of the war John Platt settled in Washington, Conn., and here David Gould Platt, the father of the future Senator, was born, and in 1817 married Almyra Hitchcock.

Their home can be pictured as one common in Connecticut rural communities. I find its inmates described as "plain, unassuming, good farming people of the sturdy New England type, in whose home were fostered intelligence and piety." Another writes:

"I was at home in your father's house. He is one among the early abolitionists who is silhouetted on my memory most vividly. Your mother was a heroic soul—one in ten thousand."

Slavery had existed in Connecticut since early in the seventeenth century; unsuited to New England surroundings, it was gradually disappearing from the State; the antislavery sentiment was just beginning its struggles, and the home of Platt and his associates were the centers in which the leaders gathered to forward the cause in which they had enlisted. They were denounced from the pulpit, ostracised in society, and persecuted in their business; pupils were withdrawn from the academy on account of the views of its teacher until its numbers were so depleted that its doors were closed, and as a final punishment PLATT, the teacher Gunn, and those interested in the new movement withdrew or were dismissed from the church.

ORVILLE HITCHCOCK PLATT was born July 19, 1827, in the town of Washington, Conn., in the home to which I have alluded. The traditions of the State, the lives and example of its founders of colonial and revolutionary times, the godly influence of the home life, and the daybreak of the awakened struggle for liberty were his priceless heritage.

His early education was in the primitive district school, from which he graduated to enter the academy, taught by his father's abolition friend, for instruction in the higher branches, and later became associated with Doctor Gunn as assistant. It was this close association as pupil and teacher with this courageous heroic spirit that gave the directing motive to and marked out his future career.

With the closing of the academy, Doctor Gunn, with his assistant, PLATT, removed to Towanda, Pa., the home of David Wilmot, the author of the Wilmot proviso, and where to be an abolitionist did not subject a man to obloquy, and reentered their work. After a few months PLATT returned to Connecticut, entered the law office of Gideon H. Hollister, at Litchfield, Conn., and in 1850 was admitted to practice. Returning to Towanda, he completed his legal studies in the office of the Hon. Ulysses S. Mercur, afterwards Chief Justice of the Supreme Court of Pennsylvania, and was likewise admitted to practice in that State. While residing at Towanda, he was married to Miss Annie Bull, and who died in 1893. In April, 1897, he married Mrs. Jeannie P. Hoyt, née Smith, daughter of the Hon. Truman Smith, his early friend and adviser.

Retaining his love for his native State, he determined to again locate there and make it his future home, and, acting on the advice of his friend, Hon. Truman Smith, a member of the Senate, and whose successor he proved to be in later years, the young attorney selected one of the struggling industrial communities as a promising field for his future work, and made the then town of Meriden, Conn., his lifelong home. The professional life of the country attorney at this period failed to yield even a reasonable pecuniary reward, as clients were few and fees necessarily limited; but these conditions did not discourage the young lawyer; he had determined to be a master of his profession and to win his way to the confidence and support of his fellow-townsmen.

His leisure hours furnished ample time for study and to participate in the various interests of the developing town. He was known as a public-spirited citizen, and everything that pertained to the general welfare received his enthusiastic investigation and merited support. He was conspicuous in the organization of nearly every industrial corporation that came into existence; he perfected the charter, and set in motion the municipal government of the city of Meriden. He connected himself with the First Congregational Church and became interested in all its work. A pupil in his class in the Sunday school has written me:

"Often times he would become so intensely interested in his subject that he would seem almost inspired."

Amid the hours of his busy life he found time to gratify his love of nature acquired in his boyhood days, and a tramp through the woods, or a day on the brook, or with his gun, gave him ample hours for recreation; and these pastimes were his delight through his life.

The educational interests of the town were his constant study, and to their broader and modern development he gave the benefit of his resourceful mind and enthusiastic support. In later years he gave expression to the success of the educational sys-

tem that had been fostered in Connecticut in an address at the dedication of a free public library:

"We have been wont to glorify the common school as the foundation and means of our common growth. Our nation could never have been what it is to-day, nor what by faith we perceive to be its future, without its rare development of the educational spirit. Education in its widest sense is the corner stone of our national temple. The free public library is but the advanced common school. Its opportunity is not a privilege; it is a common right. True men and women continue to acquire knowledge while they live. When education is finished growth ceases, decay commences. The soul is dead that slumbers, the living is the only growing soul, and without books the soul would starve and die."

The moral atmosphere of the town felt the elevating influence of his personal life. He was an open and consistent adherent to the cause of temperance, which throughout his long life he never ceased actively to advocate and encourage, both in private, and in public legislation.

His political principles and party affiliations were already firmly established; his associations in his early home with the leaders of the antislavery agitation had inspired him with a love for his fellow-men and their inalienable right to life, liberty, and the pursuit of happiness with which they were endowed. He recognized the effective power of principle as successfully exercised by the infant antislavery or liberty party in a Presidential campaign, its first appearance as a political factor. He had seen new territory acquired which gave fresh impetus to the struggle between freedom and slavery. In the Presidential election of 1848 he cast his first vote, and identified himself with the Free Soil Party and gave his influence and support to its candidates.

Gradually but surely the young attorney had succeeded in winning the confidence and respect of his fellow-townsmen, which was his chosen standard by which to measure the success of his work, and naturally he became a leader in the religious, business, and social life of the community.

Mr. PLATT was not an avowed candidate for public office, but, accepting a nomination in 1853, was for three successive terms chosen judge of probate, and in 1855 clerk of the Connecticut senate, and in 1857 secretary of state. He was prominent in the organization of the Republican party, and was closely associated with its leaders, and to its principles and purposes he was a devoted adherent the remainder of his life. Repeatedly selected to represent his town in the General Assembly of the State, serving in the Senate 1861-1862 and in the house of representatives 1864 and 1869, he was accorded the party leadership and as speaker and chairman of the Judiciary Committee conducted the legislation with conservatism and marked ability. Professional demands were now more requiring; his extensive law practice called for his constant personal supervision, and had for him greater attractions than public office, and for a time he declined to accept further political honors. In 1877 he was appointed to the responsible position of State Attorney for New Haven County, which office he held until his election as United States Senator in 1879.

Mr. PLATT was nominated and chosen Senator by the General Assembly of Connecticut January, 1879. One of the leading contestants for the position was his old-time abolition friend, Gen. Joseph R. Hawley, who two years later he welcomed as a Senator, and for twenty-four years they remained as colleagues in this body.

The results of the caucus came as a surprise to the people of Connecticut, but recognizing the abilities displayed in the service of the State by the newly elected Senator, justified the choice. The citizens of his home town, gratified at the new honors which had come to their fellow-townsmen, joined regardless of faction or party in a remarkable demonstration of their admiration for the man. In response to the greetings of his townsmen, he announced the simple principle that would guide his action:

"Just now everything is new and seems unreal. I can scarcely appreciate the future. How I shall walk in the new part in which I am set time will show. I do know that I shall try to do right as I see the right."

And this rule was the magnetic needle that directed and marked out the course of his Senatorial career.

He took his seat at the extra session of the Congress, March 18, 1879, well equipped for the new obligations which had so unexpectedly been thrust upon him. Connecticut institutions in town and State organization were a school of political educational life; in the school district, church society, and town meeting the people were accustomed to discuss and to direct all local affairs and interests, and in the General Court of the colonial and the Assembly of modern times the representatives of the people fitted themselves for advanced legislative work in the council chambers of the nation.

He found as colleagues the master spirits of legislation of both Houses of Congress throughout the war period, who had

been joined by the great military leaders, transferred from the field to the forum, to assist through peaceful legislation the great work of reconstruction, and to work out the intricate problem of the future of the Republic.

A generation nearly has passed; one by one the names that illumined the roll of the Senate have been eliminated, and to-day but three of its then members remain to respond to its roll call and participate in these memorial exercises.

Determined to be a master in his work, he entered upon it with the same enthusiasm and spirit that enabled him to win his way in his early professional career. Accepting an assignment upon the Committee on Patents, on which he remained as member and chairman for nearly the whole period of his Senatorial service, he was enabled to render material assistance to his inventive and ingenious constituency in perfecting and strengthening the laws which to them were of so great material interest and the groundwork of a large degree of their prosperity. As chairman and member of the Committee on Territories, he familiarized himself with the needs of the great developing sections of the country, and was an active participant in the legislation for the admission into the Union of the States of Montana, Washington, North and South Dakota, Wyoming, and Idaho. As chairman of the Committee on Cuban Relations, he formulated the initial work that carried the blessings of liberty to the oppressed, and in what is now known as the "Platt amendment," cemented friendly relations with the newborn Republic. He gave his best thought and untiring industry to all matters of legislation and gradually won his own place in the front rank. He had high ideals of the duties and responsibilities of governments, and in an earnest discussion of the currency question, involving, to his mind, the honor of the nation, uttered this sentiment:

"Governments, like individuals, have characters; and if there is any grander sight in this world to behold than the character of an upright, honest man, built up by acts of integrity and honesty and uprightness, it is the character of a government built up from its beginning by acts of integrity and honor and honesty, with no blot on its record; and if there is anything sadder in this world than to see a man who has achieved such a character throw it to the winds by a single dishonorable act, it is to see a great government that has built up a name for honesty, integrity, and nobility of character throw it to the winds by a single dishonorable act. God grant that that blot may never be put upon the character of our Government."

Senator PLATT was not a great orator. I would rather liken him to and recall him as the Roger Sherman of our own times, as I find Sherman described in a glowing history of the Continental Congress:

"No man surpassed him in capacity, influence, and strength. He was neither eloquent nor impassioned. As of St. Paul, it might have been said of him, 'his speech' was 'of no account,' and yet, like St. Paul, his words carried weight far surpassing those of the mere orator—words that will guide and inspire mankind to the latest time."

"There was in him kind-heartedness and industry, penetration and close reasoning, an unclouded intellect, superiority to passion, intrepid patriotism, solid judgment, and a directness which went straight to the end."

"He lacked magnetism, but though he did not possess genius, he had gift of accomplishment, which is greater than genius. He never trumpeted his own praises. He seemed to be indifferent to the applause of his fellows, and to have never thought that his own work entitled him to credit or praise. One act done, he proceeded quietly to the doing of another. Common sense, integrity, lofty purpose, unfaltering persistence, supplemented by wide knowledge and intense patriotism, seem to have been his distinguishing traits. He took up his life as a humble (shoemaker) attorney; he laid it down as (our) Connecticut's national lawgiver."

His confidence in the great mass of the people to maintain our representative form of government was absolute. He appreciated the sacrifices which the fathers endured to establish and the enthusiasm with which their descendants rallied to preserve and perpetuate its blessings. In his own words:

"Liberty meant in Revolutionary days, as it means now, all that men hope for, either for themselves or for posterity, and the self-governed state meant an enjoyment of all the blessings of liberty. Remember, too, that in all ages lines of human liberty have been advanced by the poor and lowly."

The Senator's presence and participation on public and historical occasions was eagerly sought, and to such requests he willingly acceded so far as his official duties and strength would permit. His addresses were word pictures and realistic delineations of the historic men and their times and the heroic acts and generous lives of the founders and patriots of colonial and revolutionary days, the influence of whose life and acts, he felt, was ever inspiring.

The dignity of his presence always gave an added interest to the gatherings of the people, the earnestness of his manner commanded the close attention of his hearers, and the moral lessons which he never failed to inculcate, and the influence of a godly Christian character, which he deemed so essential to the welfare of society and for which his own personal life was so conspicuous, furnished ample food for thought and reflection.

The people of Connecticut never failed in their confidence or loyalty to their Senator. His whole public life of untiring

industry, sterling integrity, and devotion to duty realized their expectations when they selected him from their own ranks to represent them in the council chamber of the nation, and confirmed his own declaration at the outset of his Senatorial life—

"I shall try to do right as I see the right."

Senator PLATT rounded out his service in this body as chairman of the Judiciary Committee, of which he had previously been a member, and as your presiding officer on one of those rare occasions in the history of our country that this Senate has been called upon to exercise its constitutional judicial functions. His work of accomplishment ended with the Fifty-eighth Congress and the short executive session that followed. He closed his great career with an unsullied record and reputation, the peer of the honored Connecticut Senators, Ellsworth, Sherman, Johnson, Trumbull, Buckingham, and others that preceded him.

His last public act was to participate in the legislative memorial exercises at the State capitol, in Hartford, in memory of his long-time friend and colleague; friends when—

"creeds could not bind the consciences of such men. They found a law higher than creeds; they inquired only their duty to God and man, and did their duty as they saw it."

His none too rugged frame had wearied in its work, the throbbing heart pulse was to him the prophetic warning of a near reunion and renewed activities in the life beyond, as he depicted in loving, tender words his graceful tribute to the life and character of Connecticut's idol soldier and statesman that had already entered into the new life; it was a "good-by" and not a farewell.

The needed rest and recreation he sought in his home in his native town, "little Washington," as he would designate it, but the coveted rest never came until "he slept with the fathers."

He had honorably filled his own place both in private and public life, and left behind an imperishable name to illumine the annals of his State and nation. He had fought the good fight and kept the faith; with an unclouded mind, with a characteristic faith, and an undimmed eye he had seen in an awakening vision—

"An angel, writing in a book of gold;
Exceeding peace had made him (Ben Adhem) bold.
And to the presence in his room he said,
'What writest thou?' The vision raised its head
And with a look made all of sweet accord
Answer'd: 'The names of those who love the Lord.'
'And is mine one?' said he. (Adhem.) 'Nay, not so,'
Replied the angel. He spoke more low,
But cheerily still, and said: 'I pray thee, then,
Write me as one who loves his fellow-men.'
The angel wrote and vanished. The next night
It came again, with a great wakening light,
And show'd the names whom love of God had bless'd,
And lo! his (Ben Adhem's) name led all the rest."

He fell asleep.

April twenty-first, nineteen hundred and five,
Washington, Connecticut.

Mr. ALLISON. Mr. President, I esteem it a great privilege to be permitted to pay a brief tribute to the life and character of the late Senator ORVILLE H. PLATT, who died one year ago to-day at his home in Connecticut, where his birth took place seventy-eight years before. I regret that my own occupation in matters of pressing public duty has prevented me from making suitable preparation to speak in fitting terms of his life and public services, but the portraiture of the senior Senator from Connecticut [Mr. BULKELEY] has so well delineated the character of our late colleague that it seems almost unnecessary for me to speak of any special trait.

Senator PLATT came here on the 18th day of March, 1879, and at that desk took the oath of office. He served until within a few days of the time of his death, including the entire extraordinary session of the Senate which convened on March 4, 1905. I was present when that oath was taken and served with Senator PLATT during the twenty-six years of his service here. It goes without saying that Senators who serve here for a long period of time come to know each other well; and it was my fortune to know Senator PLATT intimately and to love him for his many beautiful traits of character.

I shall not speak of what he did or what he was before he entered this Chamber; this story has been graphically portrayed by the senior Senator from Connecticut to-day. I shall, in a brief way, undertake to speak of his services here and the work he did here and the just fame he acquired here.

Whilst there may have been others more brilliant and more eloquent in speech, no Senator during his term performed a larger measure of service in this body than did Senator PLATT. I think the instances are rare in our history at any time where any Senator has served more faithfully, industriously, effectively, or more to the advantage of his State and his country.

I am not surprised that, in reply to his fellow-townsmen at

Meriden, he should have said, as just quoted, that he was about to enter upon his service in this body with distrust of his own ability to discharge the new duties imposed upon him. I can understand how one would so feel who had never before served in either House of Congress; but his pledge then given to his fellow-townsmen, that he would try to do the right as he saw the right, was fully redeemed in his twenty-six years of service here.

It has been the rule in the Senate, with few exceptions from the foundation of the Government, that seniority in service shall govern in the selection of committees. So that, as has been truly said by the Senator from Connecticut, when Senator PLATT came here he found the positions on the most important committees already taken by Senators who by reason of their long service had become prominent in this body and in a greater or lesser degree prominent in the country, so that in his first term of service conditions required that he should take positions on minor committees.

During the early years of his service he was appointed on the two important committees of Territories and Patents, and he served on the Committee on Territories for twelve years continuously, and in 1887 became chairman of the committee. This committee had important work to do during the whole period of his service, and especially important during the years of his chairmanship. In 1889 four new States were brought into the Union under the leadership of Senator PLATT, namely, North and South Dakota—the old Territory of Dakota being divided in order to make two States—Montana and Washington. During the following year, under his guidance as chairman, Idaho and Wyoming were also admitted. He had broad views on the subject of the admission of new States, believing that this great northwest country, then being rapidly developed through railroad extensions, would become an important portion of our Union as respects its agricultural, industrial, and mineral development. So that under his influence and guidance twelve additional Senators were admitted here. This expectation has already been abundantly realized by the rapid progress and development of those States since their admission.

During his service on the Committee on Patents he brought forward and secured the passage of important measures affecting the interests of inventors, and also secured a radical and needed reform of our copyright laws. In the discussion of the questions involved in these measures he displayed full and complete knowledge of the history of our copyright laws and the necessity for their improvement. His work in revising these patent laws, as well as his achievement in securing, during his chairmanship of the Committee on Territories, the admission of the six States I have named, merits for him high distinction in the annals of the Senate.

It is well known to Senators, though not apparent often to the general public, that there is a large amount of what might be called "drudgery work" necessary to be done in the committees and in the Senate, which is very important but not of such general public interest as to attract the attention of the country. This work must be done by those competent and faithful in the discharge of their public duties.

When the committees of the Senate were reorganized in 1887 Senator PLATT was, rather against his will, as I remember very well, persuaded to take a place upon the Committee on Indian Affairs—a hard-working committee with most important duties to perform affecting the Indian tribes and Indian reservations. At each succeeding Congress, though anxious to retire from the committee, because its work was exacting and difficult in connection with other committee assignments, but the importance of the work was so great, and his great ability was so recognized in its performance, that he was persuaded to continue in this important service for sixteen years, and was relied upon to prepare and formulate important legislation relating to these affairs.

He gave his attention to proposed legislation coming before that committee with absolute fidelity, care, and industry. The most important legislation was necessary during the most of this period, affecting the relations of the Five Civilized Tribes in the Indian Territory to each other and to the Government. To this subject Senator PLATT gave unremitting attention and consideration, visiting the Territory on two different occasions with subcommittees. During one of these vacations nearly the whole summer was occupied in the work of preparation of a bill relating to the Five Civilized Tribes, which became a law and is the basis of the final settlement of the relations of these tribes to the Government. These questions were of the utmost importance, requiring the best ability to solve. His whole service of sixteen years was arduous and freely given, though not an attractive one.

But the most signal service in Senator PLATT's career here was performed in three committee rooms—those of the Com-

mittee on the Judiciary, the Committee on Finance, and the Committee on Cuban Relations. Nothing better illustrates the value of Senator PLATT's labors here than the fact that he was selected to deal with the great public questions coming before those important committees.

He became a member of the Committee on Finance in 1895. That was a period of monetary and industrial depression. It was believed at that time that Congress should attempt to do something to alleviate those conditions; and Senator PLATT entered upon that work, in connection with other members of the Finance Committee, with a patient industry and interest which finally resulted in the passage of what is known as the "Dingley law." Whatever may be said of the fruits of that law by its friends or its critics, it is certain that it was a most important and valuable piece of legislation, which occupied the Finance Committee for many months and the two Houses for the extra session of 1897, called by President McKinley for that purpose.

At a later period Senator PLATT became a member of the subcommittee which prepared with great care the bill known as "An act to define and fix the standard of values, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes." That act is, perhaps, next to the resumption act, the most important law with reference to our finances that has been passed since the close of the civil war. It undertook to make permanent and effective our imperfect monetary system as respects metallic money and as respects our currency, making effective provision for the convertibility of all paper money, issued directly or indirectly, into gold.

Senator PLATT, associated with Senator ALDRICH, chairman, and others, gave the summer of 1899 practically to the consideration and preparation of that great measure, which passed here, I believe, without any very serious debate, although there was criticism of it at the time as to its effectiveness to accomplish the purpose intended. But the six years that have elapsed since that measure became a law have certainly justified the wisdom of its passage.

The most important single statute, however, in which Senator PLATT took a conspicuous part and of which he was the author was that concerning our relations with Cuba after the close of the war with Spain. After the close of the Spanish war it became apparent in this body that our relations with Cuba were then, and were likely to continue to be, of such consequence as to require a committee of this body to deal with them. The Senate in 1899 provided for a Committee on Cuban Relations, which committee was, in its personnel, composed of the older and most experienced members of the Senate. Senator PLATT by common consent was selected as the chairman of that committee. How wisely and how faithfully those duties were performed by the committee and by its chairman is well known to the people of this country and to the people of Cuba.

The Platt amendment, so called, which was placed upon the Army appropriation bill, was one of the most important pieces of legislation which has been enacted in our parliamentary history, dealing, as it did, with our relations to another country, with which we were associated, but which had not been taken into full accord with our system of government. New and wholly novel questions were involved.

Senator PLATT and his committee prepared that measure, and offered it in this body to be placed on the Army appropriation bill of 1901. I do not give him, and I think it would not be quite just to give him the sole credit of originating that measure. It originated in the Committee on Cuban Relations, of which he was chairman. His legal and analytic mind was a potential force in its preparation, and he may be fairly considered its author. It is well to note that this legislation was considered so important that, by unanimous consent, it was placed on the Army appropriation bill and was not considered as an independent measure. Such measures are only put upon appropriation bills when imperative necessity so requires, and when both, or all, political parties recognize the importance of the measure.

These are some of the great measures which Senator PLATT originated or participated in the framing of, and were placed in our statutes. They will live in the history of our country so long as that history shall survive.

Senator PLATT was constantly in attendance here. He was faithful in the performance of every duty, whether in committee or in the Senate itself. He was an able debater, although, as has been said by the Senator from Connecticut, he was not considered one of the orators of the body; but if in dealing with any subject plain, logical, and concise statement and keen analysis are elements of oratory, then Senator PLATT, by their

exhibition here on many occasions, was able to convince the Senate that he had at least the qualifications of an orator.

Mr. President, I have only briefly outlined the long-continued services of Senator PLATT in order to show that he well merited the right to be named one of the leaders of the Senate.

In all his public service he was conscientious in the examination of subjects committed to his care and in the preparation of legislation brought before the Senate.

I knew him well and served with him on some of the committees I have named for months at a time. I learned to appreciate his simple, quiet character and to admire his acute and discriminating intellect and well-instructed mind. When the annals of the Senate shall be written, it will be found that the name of Senator PLATT will occupy a deservedly high place.

We all mourn his departure; we shall miss him much as a member of this body and in all the relations of life.

I regret, Mr. President, that I have been unable to pay a more fitting tribute to the character of our departed colleague, but could not allow the occasion to pass without a brief expression of appreciation of his great attributes as a legislator and statesman worthy of the first rank in the history of the Senate.

Mr. MORGAN. Mr. President, as one of the three Senators remaining in this body who were the colleagues of Senator PLATT in his entire career in the Senate, an opportunity is afforded me that I never expected to have, and a melancholy duty of recalling to the Senate and the country the wave of national sorrow that followed his departure hence, and the more agreeable privilege of pointing to his excellent example as a memento that is gratefully cherished by the Senate.

The sorrow and regret of his personal associates who remain, when any good man dies, is like a cloud that reflects in greater splendor the higher lights that are above it and then dissolves in tears, or is swept away. So our bereavement at the loss of Senator PLATT is compensated to the Senate and the country by the memory of his virtues that we are now proud to record.

It is high eulogium to say of anyone who has served in the Senate that his moral worth, his loyalty to truth and justice, his learning and abilities, his conduct and example are worthy of a tribunal that is endowed with the broadest and highest powers of constitutional government. It is no less praise of such a man to say that, in common with American people, his love and devotion to the country, its institutions, and its organic law, was pure, and was inspired with the single motive of patriotic duty.

Posterity, through coming generations, will say such things without reserve or qualification about the service in the Senate and in the councils of State of the great Senator from Connecticut; and that is his fitting eulogium that none can now pronounce in its full meaning.

His great services were not performed in some conspicuous acts of the most vital importance, though these are not wanting to accentuate a career that was still more excellent because of his modest, earnest, and faithful observance of every duty. His forceful, successful, and controlling leadership in the Senate without any manifestation of ambitious impulses or purposes, signalizes Senator ORVILLE H. PLATT as being a model American Senator, whose example, now that he is gone, is worth nearly as much to the Senate and the country as his unfailing labors were worth while he lived.

The example lives and will long live in the Senate, like the still small voice that is ever present in honest hearts, to whose admonitions none can turn a deaf ear without giving offense to the public conscience. There is great and national reason for congratulation that his example in the Senate remains to us as a priceless legacy. It is not always so conspicuous in its grandeur as to attract public admiration with its splendors, but it is always true as a guide to such as are seeking to contribute their labors as honest and diligent workers for the general welfare and for the safety of a self-governing people. It is a warning against excesses in the use of the authority of their own laws, in derogation of the true majesty of their own sovereign powers. It is a remonstrance against overzealous aggression that has often turned a good cause into a licentious oppression.

Such tendencies are prevalent in many movements that are called "popular demands" for the reform of our organic laws. The memory of Senators, among whom he was abreast with the foremost, still fills the Senate Chamber with affectionate admonitions to their successors to guard with fidelity the essential rights of the people and the States. These will not go unheeded, whatever may be the clamors or the traductions against the Senate of the United States.

One voice that is no longer audible in this Chamber, a voice of sympathy and courage, still speaks to us through the voiceless air, like the message from a distant shore that was telegraphed to our ships far out on the Pacific Ocean, and called them to the rescue of humanity when San Francisco perished.

We hear and will obey the call to duty, whispered to our hearts from the invisible shores of eternity, and the Senate will still stand steadfastly in support of the Constitution of the United States, under our oaths to God. To Him we will bow in submission, as our Pacific coast is kneeling in sackcloth and ashes; but no man's authority will be accepted as a release from our vows, whatever may betide us.

ORVILLE H. PLATT, with a host of other great and noble Senators who have passed away since I first took my seat in this body, is here in spirit, with the same words to encourage us that were spoken in his every utterance and were true in every act: "Be faithful to duty in the fear of God."

Senator PLATT was, in outward seeming to those who did not know the shrinking modesty of his nature, a man of marble, cold and polished in statuesque dignity, with little love for his kind. In fact, he was so tender a lover of all who were suffering affliction or were in danger of the visitations of wrong and injustice that his chief joy in life was in giving them comfort and strength, and in lifting their hopes above despair.

As the great and proud race of Indians are disappearing from their fatherland, which no Indian would ever desert nor be driven from it by forces that made death the penalty of resistance, none of them will forget the sympathy of Senator PLATT in his patient, just, and humane devotion to the rights that remained to them after more than two centuries of warfare for the maintenance of their original independence. He provided for them in their necessitous condition almost as a father would provide for his family. His great abilities and industrious labors were always engaged in their service when needed, so that none were neglected; and the records of the Senate are a history of his work that carries honor to his memory on every page that relates to Indian affairs.

His only possible reward was the consciousness of duty well and honestly performed.

The proud and silent nod of the grateful Indian in approbation of the equally proud and silent assistance of the great Senator was the only token of friendship between men who were sternly just in their actions, and neither of them asked nor expected nor granted favors.

Old Geronimo, the Apache king of the desert, whose courage and blood has burnished the epaulettes of generals whom he has fought from obscurity into distinction, is dying in his tepee in Arizona. He has become a devout and faithful Christian man, under such tutelage as Senator PLATT has encouraged.

When recently asked if he desired longer to live, he answered: "Yes; I am still of some use here." He said that he had some battles yet to fight for his tribe under a new King; that his enemy was no longer the white man, but the prince of darkness, who had destroyed many thousands of red men in wars with white men. He said his tribe had gone on a new warpath and he wanted to lead them against the doer of all evil. On being assured that his death would lead them to the land of eternal rest, where they would follow him, he said: "Yes; I will go to that land of rest, where Christ is expecting me, but a poor old Indian can serve Him better here, in fighting the evil one, than he can in heaven, where he is not needed, and I hope God will give me a little more time."

If there was one thought of regret in the mind of the great Senator as he was passing from death into life it was like that which inspired the petition of Geronimo when he prayed that God would still give him greater length of days that he might help his people.

Honors like these, won in the path of duty, cluster about the memory of Senator PLATT. They proclaim his right to the homage that the Senate now offers in memory of a man who was truly great and good.

Blessed are the dead who die in the Lord; yea, saith the spirit, for evermore, for their works do follow them.

Mr. TELLER. Mr. President, my personal acquaintance with Senator PLATT commenced when he entered the Senate in the Forty-sixth Congress, March 18, 1879, with a well-earned reputation as a lawyer and legislator. He had served the people of his native State in the capacity of secretary of state, as speaker of the house of representatives, and as a member of the State senate. His executive and legislative service at home and his legal ability especially fitted him for the proper discharge of his duties as a member of this body. Modest and unassuming in his intercourse with his fellow-members, he immediately secured their confidence in his ability and sincerity.

He was industrious, painstaking in his work, and when he had secured the necessary facts on which to base his opinions he was persistent in maintaining them, which he did with a logic and force that usually carried conviction, and thus he soon became an influential member of this body.

He was assigned to the several committees with which new members of this body must be content. He accepted such assignments without complaint, and immediately interested himself with zeal in the work of the committees to which he had been assigned. His thorough examination of all matters coming before the committees of which he was a member made him at once a valuable member, not only of the committee, but of the Senate. His careful attention to matters before the Senate and his positiveness of conviction as to matters he had considered soon brought him to an active participation in the work of the Senate, and he continued to hold that relation to the Senate up to the close of the last session in which he participated, a few weeks before his death.

He was a party man with a strong partisan spirit, because he believed his party was best calculated to secure the highest degree of progress and prosperity it was possible for a nation to attain. While he was a partisan and defended the principles of his party with intelligence and vigor he recognized that there were two political parties in this country, and that there might be both wisdom and patriotism in those differing with him. He was a good type of Americanism, and his aspiration for his country was for all parts and all the people within its borders.

For a little over twenty-six years he represented the State of Connecticut in this body, and during that time maintained not only the confidence of the people of the State that sent him here, but of all the people of other States, and he was recognized as one of the leading members of the Senate. During these many years of service in this body he stood for what he believed to be right, and, whether losing or winning, was always courteous and considerate of his opponents.

While he was a member of this body seven States were admitted to the Union, and, as he was a member of the Committee on Territories, he prepared three of the reports favoring such action, and gave his cordial support to the admission of each and every one.

His length of service here was much beyond that which usually falls to those becoming members of this body. Only few persons in our history of over one hundred years have held the distinction of serving twenty-six years in the United States Senate. I believe the number is only twelve.

Of the seventy-six Senators who were members of the first session of the Forty-sixth congress only three are now members of this body, and only thirteen others are living.

The death of one of our members who has so many years been an active and influential member may properly be said to be a national loss, and I am sure every member of this body in his death felt that he had suffered a personal loss.

We can do nothing to add to his fame or reputation, but we can bear willing and loving testimony to his high character, his many valuable services to State and nation, and express our profound grief at his death.

Mr. ALDRICH. Mr. President, twenty-five years of intimate and unbroken friendship and of the closest association in the public service and the examination of public questions gave me an ample opportunity to know and appreciate Senator PLATT's character and public services. When the history of our time (an eventful period of remarkable national development and expansion) is written, the historian must assign Senator PLATT a place in the very first rank of constructive statesmen.

His advice and counsel in the consideration of grave questions of public policy were invaluable, and nearly all of the great legislative acts adopted during his service in the Senate bear the impress of his mental vigor, constructive ability, and strength of character.

In the presence of his associates, and after the statements to which you have listened, it is not necessary for me to enter into the details of his work in the Senate. That portion of his work which was, perhaps, best known to the public, although not by any means the most valuable to the country, was connected with the solution of the perplexing problems growing out of the Spanish-American war, and especially the adoption of the Platt amendment.

His valuable services as chairman of the Committee on Territories and as a member of the Committee on Indian Affairs are familiar to the Senate. Although Senator PLATT was for many years a leading member of the Judiciary Committee, and at the time of his death its chairman, a large portion of his more

important work was upon practical questions not connected with this committee.

Representing a constituency with widely varied industrial interests, he naturally took an active and important part in the preparation and discussion of tariff legislation. In the debate upon the tariff act of 1883 his wide knowledge of practical affairs and sound judgment impressed the Senate. He took an even more prominent part in the tariff discussions of 1890 and 1894.

In 1895 he became a member of the Senate Finance Committee, and was an active and influential member of the subcommittee that prepared the amendments to the act of 1897 which were adopted by the Senate. No man gave to the country more valuable service in connection with the adoption of these important legislative acts than the Senator from Connecticut.

Senator PLATT was a true son of New England, whose teachings and traditions were exemplified in his life and character. He was conservative and at the same time fearless; he had none of the arts of the demagogue, and never swerved from the clear path of public duty on account of popular clamor. He was a careful and conscientious student of all public questions, and to my mind in every respect an ideal Senator. He was simple and just by nature, able, intelligent, courageous, and wise with the wisdom that dominates and controls.

Although he was by nature intensely practical and shrank instinctively from anything like pretense and cant, yet in thought and action he always adopted the highest possible standards and invariably followed the highest ideals. I venture the assertion that no man ever held a membership in the Senate who had to a greater extent the confidence and esteem of his associates than the late Senator PLATT.

I can not refrain from saying a few words with reference to our personal relations. The fact that we represented adjoining States, whose industries and material interests were practically identical, was not the cause, but rather an incident to our warm personal friendship. Throughout its existence there was, on my part, a constant growth of admiration and affection for the man. In every phase of my work here I found his counsel most helpful. In his death I am conscious of the loss of a dear friend, who was, all in all, the best man I ever knew.

Mr. LODGE. Mr. President, among the remarkable men who framed the Constitution of the United States two of the most conspicuous were Roger Sherman and Oliver Ellsworth, delegates from the State of Connecticut. To them and particularly to the former was due the great compromise which preserved the power of the States in the new system by securing to them equality of representation in the Senate, to which was due more than to any other one condition the success of the Philadelphia convention and its complete but narrow escape from failure and defeat. The provision thus adopted in regard to the basis of representation in the Senate and the House was known as the Connecticut compromise, in honor of the men whose skill, foresight, and ability brought it into existence. Both Sherman and Ellsworth subsequently became Senators and helped to organize the new Government which the Constitution had called into being. To Ellsworth, who was afterwards Chief Justice and one of the commissioners who made the peace with France, we also owe the judiciary act, a law which has so long withstood the test of time and of changing conditions that it seems to-day to possess almost the fixity and sanctity of the Constitution itself.

Neither Sherman nor Ellsworth was a brilliant orator like Patrick Henry, nor a great administrator and leader like Hamilton, nor a consummate party chief and political manager like Jefferson. They were public men of large ability and strong character, preeminently constructive statesmen of the Hamiltonian school, who left enduring monuments of their wisdom and foresight in the Constitution, which they helped to frame, and in the laws which they placed upon the statute book.

Men, however, of such unusual character and strong mental qualities as Sherman and Ellsworth leave their mark not merely upon the legislation and the history of their time, but upon the minds of the communities in which they live, a very lasting memorial, for habits of mind, although as impalpable as air, are often more imperishable than stone or bronze.

Not marble, nor the gilded monuments
Of princes shall outlive the powerful rhyme—

said the greatest of all poets. The rhyme of the poet is but words, words are but the thoughts of men grown articulate, and yet he who shapes and influences the thoughts and imagination of men leaves in his due proportion a monument which will endure when iron has rusted and marble crumbled away.

The community which produced Sherman and Ellsworth was

naturally extremely apt to receive the impress of their influence, and these two men stamped themselves deeply upon the modes of thought and upon the instinctive mental attitude toward great questions of the people of Connecticut who had given them to the nation and to the public service. Those who came after them insensibly followed the path their great predecessors had marked out, and although questions changed and new issues arose the habit of mind and mode of thought remained unaltered. Nature, we are told, is careful of the type no matter how indifferent she may be to the individual, and certain it is that in communities of strong character and salient qualities of intellect habits of thought not only endure, but the type is reproduced. The type may not be continuous, but it is almost unfailingly recurrent.

It always seemed to me as I watched Senator PLATT, listened to his speeches, and passed in my relations with him from acquaintance to friendship that I recognized in him the qualities and the statesmanship of Roger Sherman and Oliver Ellsworth. When a few years ago I had occasion to make a study of Ellsworth's career, I felt sure that I understood him and realized what manner of man he was because I knew Senator PLATT.

This type, which I had thus found in history and then met in daily life, is as fine as it is strong, and comes out as admirably in its modern exemplar as in those which illustrated the great period of Constitution making and of the upbuilding of the National Government. Senator PLATT was conspicuously a man of reserved force and of calm reason. I have seen the calmness disappear in the presence of what he believed imported either evil to the Republic or wrong to man, but I never saw the wisdom of his counsels, no matter how much he may have been moved, distorted, or disturbed. Naturally a lover of all the traditions of ordered liberty and obedience to law in which he had been reared, and which were ingrained in his nature, he was as far removed as possible from the stagnation and reactionary tendencies which too often injure and discredit conservatism. Because he clung to that which was good was never a reason with him for resisting change. On the contrary he sought and urged improvement always. The service he rendered in the case of the copyright law was but one instance among many of his well-directed zeal in behalf of civilization and of an enlightened progress which should keep pace with the march of events. His mind was too constructive ever to be content with immobility or to accept the optimism satirized by Voltaire, that "whatever is, is right." He wished to make the world better and the lives of men happier, and he knew this could not be done by doggedly and unreasonably resisting all change and all advances merely because he revered the principles long ago established and had abiding faith in the foundations of free government laid deep and strong by the fathers of the Republic. In nearly all the important legislation which went to enactment during his long career of public service, those who will take the trouble to study the records will find the sure trace of his unobtrusive, but strong and shaping hand. One great achievement of constructive statesmanship which is not only fixed among our laws, but which has become part of the constitution of another country bears his honored name. Yet there are many more like unto it and scarcely less important in which he bore a leading part or which were due to him alone that have no name attached to them and the true authorship of which will only be revealed to the future student of history when he is delving for material among the dry dust of dead debates.

To be anonymous in his work was much more characteristic of Mr. PLATT than to affix his signature where all men might read it. He seemed to me not only to care less for self-advertising, but to be more averse to it than almost any public man I ever knew. He longed for results, and was finely indifferent when it came to the partition of the credit for obtaining them. This is a phase of mind, a kind of personal pride and self-respect, not unworthy of consideration, for it is sufficiently rare in these days of ours, so flooded with news and so overwhelmed by easy printing. I do not think Mr. PLATT ever reasoned the matter out and then rested, satisfied that lasting fame and a place in the history of the time had no relation whatever to the noisy notoriety of the passing hour, with its deafening clamors ever ringing in our ears. It was simply part of his own nature, because ostentation in all its forms was distasteful to him and because he shrank from exhibiting himself, his emotions, or his works as sedulously as some men strive to avoid anything which resembles retirement or privacy. His industry was unflagging, and again, in small things as in great, in defeating a doubtful claim as in building up a great law, he sought results and nothing else. If he could pass the measure he desired, he was more than glad to dispense with making a speech. If he could defeat an obnoxious bill by an objection,

or throw out a bad amendment on a point of order, he was quite content to avoid debate; but if debate was necessary he was as formidable as a lucid, trained, legal mind, coupled with full information and a power of vigorous, clear statement, could make him. He was thorough in all he undertook—as effective in the endless complications of a great tariff as in guarding against the perils which beset our Indian legislation. Outside this Chamber his services to the Indians, and to the good name and credit of the United States in its dealings with those difficult and helpless savages, performed during many years of unremitting toil as a member of the Committee on Indian Affairs, will never be rightly valued or understood. It was the kind of hard, self-sacrificing work for the sake of the right and to help others which must be in itself and in the doing thereof its own great and sufficient reward.

I have tried to indicate very imperfectly those qualities which seem to me especially to distinguish Senator PLATT as a statesman, for a statesman of high rank he most certainly was. But I am well aware that I have dwelt almost exclusively upon his effectiveness, his indifference to self-advertisement, and his unremitting pursuit of results and have passed by many of the qualities which went to make up the man and to account for his large success. His great ability, his power of work, his knowledge, his sense of justice, his fearlessness in the battle with wrong, his capacity for working with other men, were all conspicuous in Mr. PLATT, and all necessary to the distinguished achievements of his life. He possessed also a very much rarer gift in his complete retention of that flexibility which is so apt to diminish as men advance in life. The mind, like the muscles, tends to stiffen as we grow older, and only too frequently no effort is made to avoid the consequent rigidity. Both mind and muscle will go on performing most admirably the particular functions to which they have been accustomed, but they both alike recoil from a new idea or an unwonted exertion. From all this Mr. PLATT was extraordinarily free. Neither his age nor his natural conservatism hindered the movements of his mind or made him shrink from a new idea or tremble and draw back from an unexpected situation. In the last ten years of his life he saw sudden and vast changes in the relations of the United States to the rest of the world and in our national responsibilities. He did not hide from them or shut his eyes and try to repel them. He met the new conditions not only with the flexibility, but with the keen interest of youth, while at the same time he brought to the solution of the new problems all the wisdom of a long experience. He did not turn away with dark forebodings from the startling changes which the rush of hurrying events swept suddenly upon us, but confronted them with a cheerful heart, a smile upon his lips, and a firm faith in the future of his people and of his country.

We knew him not? Ah, well we knew
The manly soul, so brave, so true,
The cheerful heart that conquered age,
The child-like silver-bearded sage.

A very fine public career ended when Senator PLATT died. In him we lost a statesman of a type which the country can ill spare, a thorough American type which we may well pray to have sustained and renewed among us. It is not a type which certain ephemeral defamers, just now very vocal, admire; but it is to statesmen of this precise kind and stature that we owe in largest measure the foundation and organization of our Government and the ordered liberty and individual freedom which have made the United States what it is to-day. Senator PLATT was a man who was at once an honor to the country which he served and guided and a vindication of our faith in a government of the people who chose him as representative of themselves.

I have spoken of Senator PLATT only as a public man. But to us here his death is much more than a public loss. He was our friend. Those who come after us will know of his public services, of the work he did, of the large place he filled in the history of the time; but we also remember, and shall never forget, the honesty of heart and mind, the simplicity and purity of life, the humor, the love of books and sound learning, and, above all, the kindness which never failed and the loyalty which never faltered. Others may, with full faith in the destiny of the Republic we can confidently say, others will come to take up and carry on the public work to which his life was given, but the place which the tried and trusted friend has left empty in our affections can not again be filled.

Mr. DANIEL. Mr. President, members of small bodies of fixed number, like the Senate, whose maximum is ninety, have sharply and painfully impressed upon them the passing away of their fellows. In cities and in populous communities the death-rate is about the same proportion from year to year. Gradu-

ally, silently, and yet with unerring regularity, almost precise, the diminution comes. The accretions of population come, too, and in the order of nature in excess of those who depart. So the main body of society generally presents the appearance of health, vigor, and continuous progress. Here, indeed, no chair is long vacant. Flowers that welcome the newcomer have often marked the black-veiled seat where his predecessor sat. "The king is dead! Long live the king!" This speaks the state of power where succession is instantaneous. Likewise in all official lives the office and he who is to fill it make quick connection.

Nevertheless, the stroke that removes one who has long interwoven his life in the work of a great public body, who has bound himself in associations of friendship and cooperative tasks with his companions, who has become a part of the business of many constituents, who has stood forth as the representative of a great State and as the champion of ideas, and, indeed, has translated his being into law and doctrine—such a stroke suddenly snaps many ties and dissolves many vistas of pleasant and instructive contemplation.

It must be to many, and it seems to all, as if a landmark of memory and hope and faith and affection had suddenly crumbled to the dust. If we lift our gaze from the tomb of a single one who has departed to survey the scene of desolation which a few years make in the ranks of a body like this, we are well-nigh appalled to realize how swiftly and surely death consummates its work of change and dissolution.

A short time since I heard the venerable ex-Vice-President of the United States, who worthily filled from 1889 to 1893 the chair which you, Mr. President, now occupy, declare that since he left this seat forty of those who were Senators during his term of service had responded to the last roll call. We almost seem to hear the voice that says:

I am the Reaper.
All things with heedful hook
Silent I gather.
Pale roses touched with the spring,
Tall corn in summer,
Fruits rich with autumn, and frail winter blossoms—
Reaping, still reaping—
All things with heedful hook
Timely I gather.

To-day, Mr. President, is the anniversary of the departure forever from the scenes of life of one who was long connected with this body. That he is freshly remembered now is only a token of that further remembrance which will follow. ORVILLE HITCHCOCK PLATT, the senior Senator from Connecticut, has left us. He and Joseph Roswell Hawley were for well-nigh a quarter of a century associated here. They were well mated, worked in unison in the tasks committed to their hands.

The former took his seat March 18, 1879, and was reelected in 1885, in 1890, in 1897, and in 1903. The latter became a Representative in the Forty-second Congress to fill a vacancy, was reelected to the Forty-third and the Forty-sixth Congresses, became a Senator March 4, 1881, and was reelected in 1887, in 1893, and in 1899.

Both of them were honest, able, and upright men, and both of them were patriots devoted to their duties as citizens and as Representatives. Both of them performed their daily drudge work with patient assiduity. Both of them were efficient and constructive factors in the composition of measures, and both were enlightened and powerful advocates of opinion upon the floor. Both of them were thoroughly imbued with the constitutional and political views of their State, their section, their party, and both were thoroughly representative of the predominant national ideas which have for the most part shaped the destinies of this nation through a long and mighty era of stirring conflicts and of prodigious changes and progressions. Both of them rendered public services of a high order, which have woven the threads of their accomplishments into the texture of our national existence. Both were stimulated and upheld by the sincerity of their faiths and by the faithful approbation of those whom they served and sent them here. Both of them at the end of long lives and great careers of public usefulness sank to rest by all respected and beloved and deeply mourned by those who knew them best.

Most worthily has the Senator from Connecticut [Mr. BULKLEY] who succeeded Senator Hawley, and most worthily have many of the associates of Senator PLATT recounted and detailed the public services and commemorated his abilities and virtues. Others will follow me who will do likewise. For my part, I shall not seek to repeat much that has been and much that will be better said than by myself. But I was the contemporary of Senator PLATT through three terms of Senatorial service. While I had not intimate associations with him, in the contact of committee work I did have opportunity, both in the Committee on Indian Affairs and that of the Judiciary, to observe his patient devotion to whatever task came for him

to do. I became familiar, also, with his marked traits of character, and I learned to appreciate his sturdy, sincere, and steadfast nature.

Senator PLATT was a serious-minded, brave, earnest, and straightforward man. He believed his creeds. To him they were not mere forms and citations. He was always ready to stand forth to proclaim them and to share their fate.

He devoted himself with tireless energy and with the compact and subdued enthusiasm of firm conviction to every work of detail which he undertook. He illustrated a truth which we sometimes overlook amongst the conspicuous and stirring scenes of life—

To know
That which before us lies in daily life
Is the prime wisdom.

He was typical of his State, of his section, and of his party, and he was distinctively a representative man in all he stood for. Most of the great problems that engaged his thought and effort have found their solution through the processes of time, and new sails are now seen on the horizon before us.

As we seek to measure justly the men of the past we do not carry into our judgments the partisan feelings which inflamed them or their combatants in hours of conflict, for it is the happy faculty of a wholesome nature to rate men according to the circumstances which environed them and according to the manner in which they dealt with their own obligations and duty. Abraham Lincoln said on one occasion that he must confess that events had controlled him far more than he had controlled events; and if one who was at the head of such mighty power as he wielded could feel so sensitively how little any one man can do in the great movements of the human race, how much more must it be felt by those who play but minor parts in the drama that is in their time upon the stage!

It can not be doubted that such a character, such abilities, such services, and such devoted zeal as are presented in the story of this distinguished Senator are and will be respected, appreciated, and commemorated by all his countrymen, whether they concur in his opinions or not.

I recall now, even as I seek to speak something of his career, how on one occasion I saw his fine, dark eye brighten and his face light with enthusiasm when, with a deep feeling of admiration and satisfaction, he spoke of the manner in which the men of the South had gone to the front in the Spanish war, and I saw then, as through a window in his soul, how it responded to high and generous thought.

There is a chapter in Bancroft's History of the Constitution which it would be well for many to meditate upon in forming their opinions of the characters and events which have gone to compound the history of this mighty framework of popular government. He points out the lines of the assimilation of the American people, and traces them largely through their common language, through the abstract truths which that language communicated to their minds, and through its adaptability for use as an instrument of the common law, for science, for description, for the debates of public life, for every kind of poetry, from humor to pathos, and from nature to the heart and mind.

But—

He says—

the distinctive character of the new people as a whole, their nationality, so to say, was the principle of individuality which prevailed among them as it had nowhere done before. This individuality was strengthened by the struggles with nature in her wildness, by the remoteness from the abodes of ancient institutions, by the war against the traditions of absolute power and old superstitions till it developed itself into the most perfect liberty in thought and action; so that the American came to be marked by the readiest versatility, the spirit of enterprise, and the faculty of invention.

No State better illustrates the truth of which the great American historian spoke than that which was the birthplace of Senator ORVILLE HITCHCOCK PLATT; and none has possessed institutions better framed by the wisdom of man to stimulate individuality of opinion, to spread enlightenment, and to open the way for the operations of that combined action through which alone the volumes of popular power can be delivered.

Thomas Jefferson declared—though I do not know that I can with precision state his exact words—that the New England town system was the best organization for the framework of society the world has ever known. It had its beginnings in collection of the early settlers together in the simple stockades in which they gathered to defend their families from the frontier Indians. So, out of the heart of war, was taught a lesson of peace, which has marched in triumph across the continent. Church and school and town meeting house succeeded upon the spot of the rude fortification. The community took part in their own affairs. Their selectmen exercised representative power under the eyes of their principals. Home rule entrenched itself,

and the masses strengthened their organic faculties by continually exercising them in their own local concerns.

Ere the days when the railroads and telegraphs and the methods of modern communication of intelligence came about the people who settled the American colonies formed their own distinct societies, made up their own opinions, and were as different from each other in some of their methods of thought as are to-day the citizens of foreign nations. Fifty or seventy-five years ago you could almost tell from what part of the country an American came. Something in voice, something in dress, something in peculiarity of expression, or some other mark—you hardly know how to describe it—indicated the geographical location of the person whom you met. But to-day, Mr. President, through independent action and through the powers of organic thought, the American people are fast molding themselves together in the most homogeneous society that ever was framed on so great a scale in the history of mankind. Men to-day, by the mechanism of traffic, may sit down to a meal of the same food, no matter from what climate it was gathered or in what climate it is partaken of. Through the genius of manufacture the humblest and the richest are clad so nearly alike that dress is no longer an indication of social rank, unless it be that one who is conspicuous therein marks himself for peculiar animadversion.

The multiplication of books and schools and newspapers has brought before all minds much of the same thought; and to-day, as we stand to mourn the death of a great Senator from New England, we realize in his career that manliness, that openness, and that steadfastness which will find tributes of praise and commendation in every township and in every hamlet of the United States, men not caring whether they agreed with him or not, but contemplating with respect the fact that what he deemed right he stood for, and feeling that therein he offered unto them the most noble of human examples.

We are told, Mr. President, that offenses will come—and so they do most constantly—from nation to nation, from section to section, from minorities to majorities, from majorities to minorities, from corporation to corporation, from church to church, and from societies and individuals of all kinds to each other. "Woe be unto them by whom offense cometh;" but woe has never yet been proclaimed against those who bear the burden of offenses when they have come, and the martyrs who suffer and die for the cause for which they stand are seldom the people who raise the wrangle out of which came the offense of war.

The world has not yet got wise enough, noble enough, or great enough to lay aside the sword. I may add that it has not yet got safe enough, for men will wear swords until they may lie down under their own vine and fig tree, with none to make them afraid, and they should wear them.

There has never yet been a Quaker nation; and Franklin, the Quaker, taught that "we must hang together or hang separately." The Quaker statesman and philosopher illustrated how the man of peace may be compelled to war, how the statesman, like unto the soldier, though not a soldier, must stand forth and share the burdens when offense cometh. Both sides amongst nations, amongst sections, amongst majorities, amongst minorities, amongst all bodies, and amongst all individuals by whom offense cometh, generally share in the wrong which brings it, directly or indirectly. Even as to strife between man and man, each is apt to have some share of the responsibility, and if it be not in the man or men who be present there, it will be surely found in some antecedent of the history of them or theirs. The offense of one generation descends, it may be, for another to pay for—so united is man in his history, and so sure is wrong to find somewhere its retribution.

Such is man and such the infirmity of his nature, even in its finest aspects. This is universal truth, and it warns against him who sits in the seat of the scornful. It reminds us, too, of that other truth, that there is some good in all peoples, some in all the movements of all the peoples, some in all the organizations of all the peoples, even as there is some good in each individual creature. How to increase that good, which in itself displaces what is evil, is the problem of mankind, and the soul of the moral principle. That, too, is the problem to which the world is all the time, with unceasing constancy, bending itself, directing to it its loftiest faculties and aims, whether they be exercised by the humble workman, by the soldier, by the statesman, by the philosopher, by the preacher, by the teacher, by the poet, by the scientist, or by the builder. Enthusiasm for the right and the good is the mainspring of human endeavor, and in the heart of the warmest and the sternest partisan is that ideal which stirs the pulse and drives the arm.

When the great laureate of England said, "Best men are moldered of their faults," this great truth is realized. When

Christ said, "Her sins, which are many, are forgiven, for she loved much." He showed not only "the quality of mercy which is not strained," but He also showed that divine comprehension which knows that error often flows from the very intensity of the highest and noblest attributes of man's nature.

It has been said by several of Senator PLATT's friends here—and no man can ponder this strong man's long service and constant devotion to his tasks of duty and fail to realize it—that he was an idealist. Not one with thirst for the vain shows and pomps of life; not one with prurient ambition for ostentatious title nor for place and power. Rather was he the man of rigorous ideals of personal conduct and of public ends; not a visionary indeed, but one who kept realities in view and steered his course to subvert them. A man who followed those ideals patiently, sturdily, and steadily from month to month, from year to year, from generation to generation, until old age called him to rest from his labors bespoke by his deeds the sincerity that was in him and gave back to those who uplifted him the best fruits of his toil.

It is in this character that I am pleased to think of him. Men who fight the battles of a people, whether it be on the bloody field or in the forum, or wheresoever duty may lie, learn to consider and to respect the opinions and worthy actions of others. If to-morrow there were one of us who sought to leave a point of honor to men who would decide it with a firm desire to decide it right, we would as soon select a champion from those to whom we are politically opposed as from many who have been by our side.

So, Mr. President, it affords me a mournful satisfaction to join with my colleagues here in paying sincere respect to the memory of this brave American citizen, this honest and faithful American statesman.

It was my privilege, as a member of the Senate committee, to follow him to his grave. When he died he lived in the same town where he was born, amongst the grand and rugged hills of Litchfield County, from which he went forth as a farmer's boy, and to which he returned ere his days had been numbered, as a distinguished and widely known American statesman.

It must have been a solace to his heart to die at home, amongst those who had loved and cherished him, who had watched his course, and rejoiced in his successes. His funeral was conducted in the most simple and unostentatious form. The people of the State whom he had served, and the friends that he had knit to him by long years of companionship, gathered together to see the last of him. They showed every fitting civility and hospitality to the committee of the Senate who took part in the local exercises by its order. The services were conducted with religious rites, in which the old prayers were said and the old familiar hymns were sung in the village church. Then the procession filed to the village cemetery, and he was laid to rest amongst the tombs of his people and his kindred, whom he had served so long and well.

The sun was low in the west as "earth to earth and dust to dust" was spoken; but the heavens were bright and the skies were blue above us, and the western hills were bathed in the splendor of the gorgeous sunset. Presently darkness and night fell upon the scene. The light of a faithful life dies not with him who lived it. Like the light of the departed sun it shines on undimmed, and renews its cheering radiance as day by day it is revived to the children of men.

Mr. PERKINS. Mr. President, one of the saddest duties which fall to the lot of members of this body is to express their sense of loss at the death of one of their colleagues. In the death of ORVILLE H. PLATT the Senate has met with a loss whose magnitude will be the more fully realized as time passes, for he was one of the oldest in service here, and on his long experience in national affairs and on his trained judgment we who came after him were accustomed to rely. It is with the sincerity which is compelled by long and familiar acquaintance with a man simply honest and upright that we recall the attributes of our deceased colleague, and as he here said on a similar occasion:

There is no business more important, no hours more wisely spent, than those which we devote to the consideration of the services and virtues of departed Senators.

Few of those who have been members of the Senate have rendered equal services to their country, or have exhibited so many and such lofty virtues as did ORVILLE H. PLATT. He was born in a State whose founders transmitted to their descendants the qualities which stamped him as one of the strong men of the nation. The early settlers of Connecticut must needs have had strength, indomitable courage, character of the highest order, faith, perseverance, and determination to have built up the Commonwealth which has been so powerful a factor in

shaping the destiny of the Republic. The privations, difficulties, dangers, and obstacles which were encountered and overcome by the men and women of Connecticut's early days developed those qualities of highest manhood and womanhood which are universally attributed to New England. The weak, the vicious, and the dishonest could not withstand the cruel experiences of those years of conflict with savage nature and savage man. They of necessity went to the wall, and there survived that brave and sturdy stock whose influence has been as a leaven throughout the length and breadth of the land from the foundation of the Republic to the present day. We may truly say of Senator PLATT, as he said of a deceased colleague not many years ago:

We are proud of our blood, as if it were blood alone to which we are indebted, often forgetting that ancestral character as transmitted to us was built up little by little, slowly, steadily, but surely, by the surroundings amid which our ancestors wrought and fought and died, so that as generation succeeded generation each took on something which it derived from nature and the struggle with nature. * * * Henry Ward Beecher, in speaking of the New England farmers, most truly said: "They made the farms, and the farms made the men."

And the manhood thus acquired was, two hundred years afterwards, represented in and characterized Senator PLATT. In this same eulogy Senator PLATT referred to the need in the United States Senate not only of men of commanding intellect, genius, eloquence, and brilliancy, but of those men of strong sense, industry, and unswerving devotion to principles, "whose general characteristics can be best described by three grand words—sturdy, faithful, true;" and he then said that he thought he would rather it should be written on his tombstone "He was sturdy, faithful, and true" than to have it written "He was eloquent, learned, and great."

That those words, so expressive of steadfast honesty, courage and high intention, will be his best epitaph no one can dispute, for we who knew him here know that to the consideration of every question he brought to bear all those great qualities which make a man sturdy, faithful, and true. From the time he first held a political office in 1857, Senator PLATT distinguished himself as one of the men who approached all public questions in a spirit utterly devoid of all self-seeking and with a single desire of promoting the public good. It was this spirit which gained for him the confidence, respect, and love of the people of Connecticut and which led them to insist that he should take an active part in shaping the history of his own State and of the nation. The qualities of mind and heart which endeared him to his colleagues in this Chamber and which compelled them to seek his counsel and rely upon his judgment were those of a man sturdy in the maintenance of the right, faithful to his high ideal of duty, and true to the spirit of the Republic.

We all know the singleness of purpose with which he grappled with all great questions. The patient study that he devoted to them was for the sole purpose of arriving at the truth, for, like the trained scientist, he knew that truth alone will make a stable foundation for legislation, and that without truth at the bottom all legislation is worse than the falsehood upon which it is based. This was the cause of that laborious, patient, unceasing study of financial, social, and political problems which came before us for solution, and was the means of storing his mind with facts which served as signposts on the road to that goal which he always sought—the best interests of the people of the United States. It was this quality of thoroughness which made him a guide in whom all could place confidence and whom we could follow with the assurance that we could not go far astray. I think every Senator will say that during his service here with ORVILLE H. PLATT he has observed no one of his colleagues who was so vigilant in watching the course of legislation, so sure to discover dangers, and so prompt to apply remedies. In his treatment of measures, as of men, he was absolutely fair and impartial, which commanded for him the highest respect of Senators of all parties, for his efforts were always for the good of all the people, and in them partisanship had no place. At those times when legislation of vital character was before the Senate, Senator PLATT was clearly seen to be far above party and to be a statesman in the truest sense of the term. To him the country owes some of the most important legislation of recent years—legislation affecting us as a nation—to which Democrats as well as Republicans gave most hearty assent. I know that he had among those who belonged to the opposite political party as sincere admirers and as warm friends as among his colleagues on his own side of the Chamber. His honesty, sincerity, and patriotism broke down the barriers of party, and he was acknowledged here to be, as he sought to be, a Senator of the United States.

But Death wields his scythe here as elsewhere, and cuts down the greatest and most useful public men as he does the

humblest citizen. The sentence which he executes impends over all who live, and from it there is no escape. But in those who have lived wisely, purely, and unselfishly there is no fear, and men like ORVILLE H. PLATT go to their rest with the quietude of those who retire to sleep after a day's work well done. Others will come forward to take the places thus made vacant. Many will be eloquent, many brilliant, many learned, many strong and powerful, but none will have a higher ambition, or attain it more completely than ORVILLE H. PLATT, who in his life work developed those great qualities that he so revered in others, and which made him in truth a man sturdy, faithful, and true.

It is such men as the late Senator PLATT who set the high standard which every member of the United States Senate should seek to reach, and none of those who have gone before are more worthy of emulation than he whose memory we now honor. His honesty and absolute fairness are observable in all his work, and it is this quality which made his opinions guides for legislation, and often they were enacted into legislation itself. Not a sign of selfishness or self-seeking of any kind ever appeared in what he said or did as a Senator. He obliterated himself in the work he had to do, with the result that that work is his greatest monument. It was in the times following the Spanish-American war that he showed himself greatest, when he enunciated the policy which should govern our relations to Cuba, and placed that young nation beyond the reach of the selfish aggression of foreign or domestic foes. The great Platt amendment marks the time when the last lingering desire to secure Cuba for exploitation by Americans became impossible of attainment, and Cuba was made absolutely free and independent, with untrammelled opportunity to work out her destiny in her own way. We all know how easy it would have been to have changed entirely the future of Cuba; how easy it would have been to allow selfishness to dictate national policy at a time like that. But the innate justice and broad charity of Senator PLATT would countenance no temporizing with national honor, and the Senate stood with him on the high ground he had chosen, and the result is the admiration and respect of the world for the work performed.

That broad statesmanship which characterized Senator PLATT, Senator Hoar, and others of the great members of the body who have ceased their labors here, should be for all of us an inspiration and a guide. No narrow views should here dictate our action, no selfish ambitions should swerve us from the straight path of duty to the whole people and to the people as a whole. Domestic laws and foreign policies should first go through such crucible purification as they were accustomed to encounter at the hands of Senator PLATT. As he did, so should we consider without haste, deliberate without passion, weigh in the scales of justice, and decide in the spirit of great love all questions which come before us here. The conservatism of such men as he is the crowning glory of a great mind, and without such minds legislation in a body like the Congress of the United States would present anything but the orderly progress of republican government, which we have, up to this time, been enabled to boast of to the other nations of the world. It is from such minds that come the words of warning that prevent the hasty adoption of ill-judged measures or the subservient consideration of novel policies. It is only such conservatism as was constantly exhibited by Senator PLATT and others who live on the same high plane that will safely pilot the ship of state through the shallows and among the rocks which lie in its course in these times of mental stress and change. And until we have safely passed these dangers, I do not think that any member of this body—certainly not one of the older members who worked long with Senator PLATT—will cease to feel the great loss of his guiding judgment and advice. And it was those very qualities which he so admired in others, and which he possessed in such marked degree, that made him one of the strong men of the nation—one on whom the people could rely to sink himself in his work for them, for they knew that he was in very truth a man sturdy and faithful and true.

I would ask no higher tribute to be written as my epitaph—if it could be truthfully said of me, as it can of him whose memory we to-day honor—than "In whatever position he was placed, he always endeavored to honestly do his duty."

Mr. NELSON. Mr. President, a year ago to-day Senator PLATT, one of the veterans of this body, closed his earthly career and entered the realms of eternity, to join the ranks of that ever-increasing phalanx of immortals.

He was when he passed away not only a veteran in years and in public service, but he was also a veteran in all the highest and best qualities of a statesman and legislator. Few, if any, excelled him as such.

He came of good English ancestors, who settled in his native State during the first half of the seventeenth century. Gifted with more than ordinary intellectual abilities, he had the advantages of the training in one of the best of the famous New England academies of the first half of the nineteenth century. This training he supplemented with a thorough preparation for the profession of a lawyer. He was an able, conscientious, thorough, and successful lawyer.

He entered the public service of his State in an administrative capacity at an early age. He served in both branches of the State legislature, and served one term as speaker of the lower house.

In March, 1879, he first took his seat in the United States Senate, and he was four times reelected. His last term would have expired March 3, 1909. He was a member of this body for upward of twenty-six years, and during that time he served eighteen years on the Committee on Patents, eight of those years as chairman. He was regarded by all as the best authority on patent law in the Senate.

For sixteen years he was a member of the Committee on Indian Affairs, where he rendered most valuable and efficient service. No one was better versed than he in all the intricacies of Indian legislation, and no one was more alive than he to the true welfare of the Indians—always on guard to protect and defend them against open and insidious inroads on their rights and interests, but never a block or impediment to the opening and settlement of our vast public domain. His heart went out to the frontiersman, as well as to the Indians. He had none of those hazy and transcendent notions of so-called "Indian rights" or "Indian character" possessed by a school of closet reformers. He gauged the Indian at his true worth and at his real aptitude and ability, and hence he was the most practical and useful friend the Indian had.

For twelve years he was a member of the Committee on Territories, six years as chairman, and while such chairman six States were admitted into the Union, to wit: North Dakota, South Dakota, Montana, Washington, Idaho, and Wyoming; all prosperous, growing, and progressive States.

For ten years, and up to the time of his death, he was a member of the Committee on Finance, and as such was an active and resolute participant in the enactment of the Dingley tariff law.

For four years he was chairman of the Committee on Cuban Relations, and was partly the author, and the father, of the noted Platt amendment—that great bulwark and mainstay of the Cuban Republic against foes, foreign and domestic.

He was for twelve years a leading member of the Judiciary Committee, and at the time of his death was the chairman of the committee. On this great committee, on account of his skill and learning as a lawyer and on account of his industrious, prudent, and conservative character, he was one of the most active, useful, and safe members, favorable to all reasonable innovations, but sternly set against visionary, revolutionary, or doubtful schemes and measures.

The last great service he rendered in this Chamber was in presiding over the Senate as a court of impeachment in the case of Judge Swayne. The care, dignity, and impartiality with which he performed this great task is fresh in our memories and familiar to us all.

But all this is but a scant outline of the man, his character, his worth, and his work. For more than a quarter of a century the Senate was the great field and forum of his task and work. Here he wrought incessantly, thoroughly, and most effectively. He did not shine with the meteoric splendor of the ardent and finished orator. He never heralded his speeches, nor posed for effect, nor kept his eyes strained on the galleries. But in the hard, laborious, and oftentimes thankless work of scanning and formulating legislation, and in expounding the merits and defects of measures, he exhibited a thoroughness and skill truly rare, and second to none. He had the full confidence of every member of this body, and his opinion and judgment of measures was always regarded as a safe guide and well-nigh infallible. He was a fairly good debater, and could give and take blows, though there was nothing pugnacious in his make-up and nature. He never talked for mere effect, but rather as a duty which he owed to his subject, to himself, and to his associates, and hence his remarks were always instructive, always confined to the real point at issue, and always listened to and heeded. While he was always zealous to promote and press good measures, he was equally zealous and firm as a rock in checking and barring any scheme or measure which he deemed bad, or detrimental to the welfare or best interests of our country.

He was patient, thorough, and painstaking at all times and under all circumstances, and ever kept a vigilant eye on the

whole field of legislation. Most of us are content and feel that we perform our duties fairly well if we familiarize ourselves with and keep track of the work of the committees of which we are members; but he, even though he excelled us in this, was not content with such a limited sphere of work. Like the late Senator from Missouri [Mr. Cockrell] he had his eye upon and scrupulously took the measure of every important bill upon the Calendar, so that when it was taken up for consideration he was prepared to intelligently discuss it and point out its merits and defects, and if the bill was a meritorious one it found in him a most valuable ally and supporter, but if in his opinion the bill was unwise or meretricious he never hesitated to attack it and point out with inflexible persistence and clearness its defects. And this he did, not through a spirit of personal hostility to the father of the measure, but through a strong sense of duty which he conscientiously felt he could not shirk. And it was this attribute and characteristic of his that made him such a useful and influential member of this body. He was trusted and relied upon in every great legislative emergency, for his wisdom and conservatism was so pronounced and so familiar to all. He was the fairest legislator I have ever met, modest and without any personal pride. It sometimes happened, though less often than with other men, that he, in the first instance, might misjudge or misapprehend the merits of a measure, but if he did, he was ever ready to be corrected, and when convinced of his mistake he was not merely content to acknowledge the mistake, but he became zealous to make full amends, and this was a trait that endeared him to so many of his associates, especially to new and struggling members. He was never surcharged with that Senatorial dignity so chilling and oppressive to a new member, but always met such a member more than halfway and with a kind and helpful spirit.

We of the great and growing States of the West, who came here with no end of important and meritorious local measures on our hands to promote and pass, which you of the older States are not burdened with and have but a scant conception of, are happy indeed to meet with some of our older brothers here in the East who can appreciate our task and who are willing to help and guide us in our efforts, which to older and more experienced Senators may oftentimes seem crude and awkward. Such a brother and helper was Senator PLATT. His kindly, sympathetic spirit was extended to us in full measure in word and in deed. I know how helpful he was to me on many an occasion in my early days in the Senate. Indeed, his helpfulness abided with me during all my association with him in this body. He seemed my friend from the very start, and so he always remained, without ostentation, ever kind and helpful, to the end. He seemed to delight, not in exploiting his own merits, but rather in helping men and measures that were meritorious and needed his help and assistance. And this came in part from his modesty and in part from his earnest and sincere zeal for the public service. The merits of the cause rather than his own glory seemed uppermost in his thoughts. He took no pains to exploit his own eminence and ability, and hence while here in this Chamber and among his associates he justly ranked among the very highest and the best. He had not as great a reputation and was not as noted in the great world at large as many men of inferior ability and of much less merit. But while he may not have figured in the lime light of the public press as extensively as some other men in public life, and while no blowing of horns and beating of cymbals accompanied him or heralded his efforts and his work, yet he wrought faithfully, heroically, and well and was content with the consciousness that he had performed his duty and served the public weal to the best of his ability, and thus he proved a most instructive example to those of less modesty and to those more disposed to seek notoriety than substantial results.

The moral influence of Senator PLATT was even greater than his intellectual force and power. He impressed everyone who came in contact with him that he was actuated by the highest and noblest motives in all his efforts. No one ever questioned or doubted his honesty, his integrity, and the purity of his motives. There was a serene calmness, coupled with clearness and earnestness, in his deliberations and in his speeches. He was no legislative specialist with only a single hobby or a single line of work. He was equipped for and devoted to every great line of legislative work in a greater measure than most of his colleagues; and above all he gave his entire heart and energy to the work in hand. All that was his he gave to his country with a whole heart and without any reservation. He was faithful in small things as well as in those of greater importance. He left a vacuum in the Senate that is hard to fill. His death was not only a great loss and bereavement to his family, to his State, and to the nation, but also to his associates here in this body, for

no one shed a brighter or clearer luster upon the tone, the spirit, and character of the Senate.

He is with us no more, but his life, his work, and his example will be a beacon and an inspiration to us in the days to come, and thus, "though he be dead, yet he still liveth."

Mr. BEVERIDGE. Mr. President, I wish to speak not so much of the exalted character and wonderful intellect of this great man as of his fundamental public principles. I wish to speak of ORVILLE H. PLATT, of Connecticut, as the typical American statesman. Of Connecticut? No; of the Republic. No State is great enough to claim a man like him exclusively as its own. He loved Connecticut with a passion which lesser men could never understand; and yet no man so earnestly denied the consequence of a State compared with the nation as did ORVILLE H. PLATT. To him the American people was everything; to him the glory of the people of Connecticut was that they are citizens of the great Republic.

For Senator PLATT was a statesman of the nation. He believed that a member of this body is what the Constitution calls him—a Senator of the United States from a State, and not the Senator of a State, not the envoy of an independent entity, not the ambassador of a separate power. Moreover, he looked on all American industry and business as so interlaced and interdependent that they are one and the same. He regarded the present and future welfare of the entire American people from ocean to ocean as his personal concern and that of every Senator. And so it was that he was the statesman of a people and not the politician of a locality.

And this is the first principle of American statesmanship. For if Senators are merely attorneys for their State and section; if the welfare of one Commonwealth is inconsistent with the welfare of other Commonwealths; if legislation is to be a conflict of hostile interests, and policies a composite of warring industries, our laws will be increasingly weak and inconsistent, and the ultimate dissolution of the Republic the necessary result of the ceaseless battle of irreconcilable forces.

But if Americans are one people; if the Mississippi flows through a common country and our transcontinental trains whirl from Boston to Seattle, never once stopping at a foreign boundary or passing under a foreign flag; if the welfare of Maine and Oregon, of Georgia and Wisconsin, of Texas and New York, is a common warfare; if it is impossible that one State or section, one class or industry, can thrive by any policy or law not good for the whole land; if the motto of the Republic be true that "United we stand, divided we fall;" if Senators are statesmen of the Republic as a whole, sent from States to hold council for the nation as a unit; if this be the true philosophy of our Government and the just conception of our duty as Senators, then the Republic will be immortal—made so by the solidarity of the American people, made so by every American considering the welfare of all Americans and every section the interests of all sections, in which alone is found real wisdom for the individual man or section.

And this was Senator PLATT's ruling principle. That Senators, and especially the newer Senators who did not know him, may understand the great conception that guided him in all his public work, I wish to read an extract from perhaps the greatest speech he ever made. In his notable deliverance on December 19, 1898, he said:

Mr. President, this is a nation. It has been called by various names. It has been called a Confederated Republic, a Federal Union, the Union of States, a League of States, a rope of sand; but during all the time these names have been applied to it it has been a nation. It was so understood by the framers of the Constitution. It was so decided by the great judges of the Supreme Court in the early days of the Constitution.

It is too late to deny it, and, Mr. President, it is also too late to admit it and not have faith in it. Intellectual assent to the doctrines of Christianity does not make a man a Christian. It is saving faith that makes the Christian. And a mere intellectual assent to the doctrine that we are a nation does not make the true patriot. It is high time that we come to believe without qualification, to believe in our hearts, in the exercise of patriotic faith, that the United States is a nation. When we come to believe that, Mr. President, many of the doubts and uncertainties which have troubled men will disappear.

By this principle he solved vexed questions, wrote wise statutes, interpreted the fundamental law. He regarded the Constitution not as a compact between independent states, but, as Marshall called it, an "ordinance of national life" established by an undivided and indivisible people. To him the sovereign words of the Constitution are the first three, "We, the people." And so, like Marshall, like Story, like Webster, like Jefferson (who, declaring that we had no express constitutional power to do so, yet made the Louisiana purchase), like Jackson, like Lincoln, like all American statesmen great enough to be yet visible above the receding horizon (aye, and like the American people

themselves), Senator PLATT believed that the Constitution grows—grows by interpretation, grows by the use of implied powers not needed till emergency calls them into action, grows by the larger meaning which events and our advancing American civilization read into its formal phrase, grows as the American people grow.

He had no fear of the results of such a constitutional philosophy. He stood in no terror of the American people. He did not believe that the strict construction of a formal word, written four generations ago, when the Republic contained but 4,000,000 souls, the nation was only in the beginnings of its making, the uses of steam and electricity unknown, Pittsburg farther from New York than Chicago is from the Orient to-day, city congestions undreamed of, and the modern methods of production and distribution unimagined—he did not think that rigid sentences written under such circumstances a hundred and thirty years ago have necessarily the same meaning now as then, or that the safety and happiness of the nation's 90,000,000 of Americans to-day and 200,000,000 of Americans to-morrow is to be found in the Constitution's lifeless word so much as in its living spirit giving intelligent meaning to its letter.

For Senator PLATT believed in the American people. He did not believe that they are or ever will be decadent and degenerate. He believed that the masses are growing wiser and purer; knew that this must be so unless our whole American civilization is a failure. He realized that the nation is constantly renewing itself, each generation facing with new thought the new problems that the very progress of their parents brought to them. He went upon the theory that our children will be abler, stronger, nobler than ourselves; knew that if this is not true our schools and our churches, our free institutions, and the whole of modern life is a tragic mockery.

And this is the necessary view, point and attitude of statesmanship under free institutions; we individuals grow old with frightful speed; we retain our life's first impression unmindful of the profound changes in the world about us; we keep on thinking the thoughts of our youth, long since grown ancient to our children; we reason in the old formulas and speak a nomenclature of a day that is gone. But all about us millions of young men and young women have grown up amid conditions unlike those that we were reared among, and they are thinking thoughts and learning facts we never knew and speaking a tongue we never heard. It is a new nation that surrounds us; a nation of millions upon millions of fresh and vital minds yeasting with ideas; a nation of millions upon millions of new and unexhausted hearts full of faith in God and the Republic—aye, and full of the daring of that faith.

The statesman of such a nation must have a mind and heart of perennial youth, or he ceases to understand his people, begins to doubt and then to fear them, and, without knowing it, becomes their enemy. And just such a mind and heart was that of Senator PLATT.

All who knew him intimately were agreed that the amazing youthfulness of his mind was by far his most notable mental characteristic. Old as he was, he attacked new problems with the eager strength of young manhood's mental vitality, solved them with young manhood's faith. He never doubted the wisdom, righteousness, and power of the American people. He believed devoutly, unquestioningly in their mission and destiny in the world. Who that heard will ever forget his instantaneous and unprepared reply to the venerable Senator from Massachusetts on our duty in the Philippines and our certain future in the Orient and the world? How like a prophet of the olden time he seemed that evening, as with eyes glowing with religious fire and voice ringing trumpet-clear as the voice of youth, he delivered with passionate earnestness that inspired speech. Here is the way he closed this extemporaneous address, delivered about 6 o'clock in the evening:

We are under the obligation and direction of a higher power with reference to our duty in the Philippine Islands. The United States of America has a high call to duty, to a moral duty, to a duty to advance the cause of free government in the world by something more than example. It is not enough to say to a country over which we have acquired an undisputed and indisputable sovereignty: "Go your own gait; look at our example. In the entrance of the harbor of New York, our principal port, there is the statue of Liberty Enlightening the World. Look at that, and follow our example."

No, Mr. President. When the Anglo-Saxon race crossed the Atlantic and stood on the shores of Massachusetts Bay and on Plymouth Rock that movement meant something more than the establishment of religious and civil liberty within a narrow, confined, and limited compass. It had in it the force of the Almighty; and from that day to this it has been spreading, widening, and extending until, like the stone seen by Daniel in his vision cut out of the mountain without hands, it has filled all our borders, and ever westward across the Pacific that influence which found its home in the *Mayflower* and its development on Plymouth Rock has been extending and is extending its sway and its beneficence.

I believe, Mr. President, that the time is coming, as surely coming as the time when the world shall be Christianized, when the world

shall be converted to the cause of free government, and I believe the United States is a providentially appointed agent for that purpose. The day may be long in coming, and it may be in the far future, but he who has studied the history of this western world from the 22d day of December, 1620, to the present hour must be blind indeed if he can not see that the cause of free government in the world is still progressing and that what the United States is doing in the Philippine Islands is in the extension of that beneficent purpose. (CONGRESSIONAL RECORD, February 11, 1902.)

I read this, Mr. President, not to show his particular opinion upon this public question, but to show the youthfulness, the hopefulness, and the almost prophetic nature of his amazing mind. It was with this youthful vigor, vision, and undoubtingness that Senator PLATT solved the Cuban question. There was no precedent. He made one. I understand the philosophy of precedent, the absolute necessity in a free government of established forms and methods. But it requires no special ability to follow the blazed trail. Ordinary intelligence can cite precedents and apply decided cases to like situations. It needs greatness to create by sheer thought solutions of unheard-of problems. And that is what Senator PLATT did in the immortal Platt amendment, which, written in our statutes and incorporated in the Cuban constitution, established over that island the indestructible suzerainty of the Republic—all for the good and safety of the Cuban and the American people alike.

To those who asked where in the Constitution such power is given Congress, he answered by the counter question, "Where is such power denied?" For he believed that the United States may do all that any other nation can do, unless the Constitution forbids it. Here is what he said in a great debate in this Chamber:

I maintain that the United States is a nation; that as a nation it possesses every sovereign power not reserved to the States or the people; that the right to acquire territory was not reserved and is therefore an inherent sovereign right; that in certain instances the right may be inferred from specific clauses in the Constitution, but that it exists independent of these clauses; that as the right to acquire is a sovereign and inherent right, the right to govern is a sovereign right not limited in the Constitution.

Whether all Senators agreed to these views or not, when it came to adopting the Platt amendment, so deeply wise, so imminently necessary, was that historic creation that although constitutional doubts filled the air and a single speech would have defeated it, since Congress was expiring even as it passed, yet not one voice was openly raised against it. And thus entered into the law and life of two peoples, and into their intertwined history, the fifth eternal writing produced by American statesmanship—the first four being the Declaration of Independence, the Constitution of the United States, the Ordinance of 1787, the Emancipation Proclamation, and, last, this indissoluble bond uniting forever the destinies of Cuba and the American Republic.

An American statesman should be as brave and unqualifiedly frank as he is incorruptible. Frankness—even aggressive openness—is necessary in the public men of a free people. Not only the people at large, but the vast business and financial interests need to know at the earliest possible moment the opinions and purposes of statesmen. He who conceals his views is dangerous; he who has none is unworthy. Senator PLATT was to his people and to all men a speaking voice, an open book. On gravest industrial questions, which make the mere politician who masquerades as a statesman tremble and pale with fear, ORVILLE H. PLATT told where he stood and then stood there fighting with the courage of his wisdom.

For example, the farmers of Connecticut petitioned him to support a certain bill; he refused, because he thought that measure not good for the Republic. The laboring men of Connecticut asked for measures he thought unwise for the Nation; he told them so and then acted on his thought. Moneyed interests in Connecticut demanded certain action; he declined because he thought it hurtful from the view point of all the people. *All of the people and not some of the people, the whole country and not a section*—this was the universal measurement of his vision. Everybody knew where ORVILLE H. PLATT stood on everything. All great statesmen are like that. They remind you of the mountains—landmarks for the centuries. "What will you have your representative be," said Edmund Burke in his speech to the electors of Bristol, in which all the elements of statesmanship are said to be defined—"what will you have your representative be, a pillar supporting the temple of state or a weathercock upon its dome?"

The American statesman must be religious, because the American people are the most profoundly and intelligently religious people of the world. Senator PLATT was intensely religious. He was a man of daily prayer. The living God was to him a personal reality, and to him service of fellow-man was wise only as it was service of the Father. He wrote a nation's laws in the fear of the Lord. He believed absolutely in Providence;

believed that the American people are directed by divine wisdom. How splendid such a conception of national destiny! The Ruler of the universe brought a new force into play in the evolution of the human race when he established on this new continent the American people, and of that people ORVILLE H. PLATT was a sage and prophet.

He is gone, this mighty one. Not many now remember him or his priceless services to the State. Only one vast achievement—the Platt amendment—will perpetuate his name. Such is oblivion's remorseless wisdom. There are so many swarming millions of human beings, such numberless events in the lives of each, such flowing oceans of circumstance that the world can not, for long, remember any one. Time is a prompt stage manager—he thrusts us on and calls us from this human stage on the hour, and not one instant in our entrance or exit may we tarry. Men plan and speak and do—and think that to-morrow other men will heed or remember; but the other day an unknown and unheard of city was unearthed by accident, which had a splendid history of great men and glorious deeds, of wise laws and polite culture five thousand years before Christ.

So all that a man does must be with different motives than to-day's applause or to-morrow's remembrance. Your deed for the deed's sake—for the good it may do although utterly unnoted like a single furrow among its million fellows. This is the only conception of duty that makes man's best efforts worth the while. And this was the conception that inspired Senator PLATT through all his years. It was nothing to him that men should remember or observe what he said or did; it was everything to him that his word and deed accomplished something for his country. And so he was fearless and pure and wise and brave; his life without stain, his course without variableness or shadow of turning. It was this conception of duty, vitalizing and consecrating his great intellect, that made him the ideal statesman of the American people.

Mr. KEAN. Mr. President, I can not let this occasion pass without saying a few words.

The services that Senator PLATT rendered to his State and country have been so well recounted by those who have preceded me that I shall not do more than say a few words as to the great loss sustained by this body and the country at large. Words can add nothing to the fame or virtues of the dead. His actions alone are the highest praise—all other eulogies fail.

It is true when he came here twenty-six years ago he was unknown to the nation, but when he died no Senator was better known. Attention to duty made him thoroughly familiar with all legislation. He gave great thought and care to all the interests of the country. He had studied closely the history of legislation, and, possessing great legal attainments, was always alert to achieve the best to be accomplished.

In his death we have lost a friend and companion always ready to aid and assist those younger in years than himself, and I can not fail to express my high appreciation and deep regard for the kindness shown me as a new member of this body and the great personal loss I feel at his death.

He died at home, as every wise man should wish to, in the midst of those who loved him, and is buried among the hills of the State that knew and honored him and which he loved.

I know no words more fitting to describe Senator PLATT than those of Robert Browning:

One who never turned his back, but marched breast forward;
Never doubted clouds would break,
Never dreamed, though right were worsted, wrong would triumph;
Held we fall to rise, are baffled to fight better,
Sleep to wake.

Mr. BRANDEGEE. Mr. President, the traditions of the Senate direct that I should pronounce the final words in these sad ceremonies. I realize that it is impossible to add anything to what has already been so eloquently and sweetly said by the score of speakers who have preceded me. And yet, though appreciating fully the difficulties of the situation, I should be remiss in my duty to my State, to myself, and most of all, to him, should I omit to say those things which lie in my heart.

Mr. President, no man has ever solved the riddle of existence. No man ever will solve it. Whoever shall, will have ceased to be mortal and will have become superhuman. From that time in the mists of antiquity, when mankind assumed the upright attitude and looked the heavens in the face, we have wondered from whence we came and whither we go. Philosophers have disputed, theologians have contended, physicists, archeologists, psychologists, astronomers, prophets, mathematicians, poets, orators, statesmen, physicians, and magicians have theorized, written, argued, yearned, imagined, and prayed, and, in so far as human knowledge and human investigation are concerned, we end where we began. We talk glibly of the categories of

time, space, and eternity, but no man can conceive of them. We pronounce the word "Infinity," and when we attempt to define it the intellect sprawls helplessly! The mystery of existence, of chaos, of the primordial, and of the finality was the mystery of the past, is the mystery of to-day, and will continue the mystery of the future. It is immutable, inexorable, unfathomable! Mr. President, the two momentous words of human speech are "Whence" and "Whither." The brain will never answer these questions. The human heart may. We know very little. We feel very much. How very little we know! We distinguish life from death, but are in gross ignorance of the cause, the origin, or the termination of both.

Among mysteries one inexplicable thing is no more remarkable than another. One may affect our emotions more than another, but fundamentally all are equally incomprehensible. Why should a seed sprout? Why should like produce like? Why should nature be uniform and constant? Why should matter attract matter according to the law of gravitation? Why should opposite electric poles attract each other? What is electricity? Why do certain forms of matter crystallize in certain shapes? What is chemical affinity? Why does the human race exist, and what is its purpose and end? Why the universe? No one of these inquiries is more or less difficult than the other. All nature is an impenetrable mystery. Science may collate statistics, may observe and tabulate phenomena, but it will never render a satisfactory response. But from the dawn of history we know that the heart has answered that which the brain might not know. The heart has faith to believe that, knowledge or no knowledge, if a man be true to his own conscience he may stand before his maker justified and without fear. And to-day we speak of such a man. How great he was! His character, like his statue, should be delineated in heroic lines. Like Abraham of old, ORVILLE HIRCHCOCK PLATT stands out from the multitude. He was a leader. He did not lead because he tried to lead, but because the people followed him. He did not lead because he pretended to be the special friend of the people, as demagogues are wont to do, but because he laid his course by his own compass and that compass always pointed to the true pole. In the long run the people can always be relied upon to distinguish between a demagogue and a patriot, and they always did so in the case of Mr. PLATT. Five consecutive times the people of Connecticut accredited him as their ambassador to this great conclave of the representatives of the sovereign States of this Republic. For twenty-six years he sat in this Chamber and fearlessly, faithfully, and nobly discharged that trust. If that may truthfully be said of any man, it is, in my opinion, the highest encomium that can be pronounced upon him. There is not, engraved upon bronze nor carved in marble, in the Valley of the Nile or of the Tigris or of the Euphrates or of the Ganges, nor in the Pantheons of Rome, Carthage, or Greece, an epitaph of achievement fraught with greater blessing to humanity than a quarter of a century of able, courageous, and conscientious work in this great parliamentary body.

Senator PLATT consecrated one-third of his entire life to this lofty ministry! Mr. President, how easy it is to say that, and yet how utterly hollow and unsatisfactory it is and how meager and shallow it sounds! What a fullness and completeness there was to that great and lengthy service! With what a multitude of events and cares and duties it was crowded! With what perplexities, with how great anxieties, with how innumerable responsibilities, always splendidly met, it was filled!

It is beyond the power of speech, or pen, or art to epitomize such a career in the compass of a few strokes of the pen or in the brief period of time devoted to this occasion. We all feel the inadequacy of mere words to express what we to-day feel and what but yesterday he was. And yet we fain would strive to record somewhat of the love which we his friends and associates bore for him and something of the respect and veneration in which the whole country held him. Mr. PLATT entered this body in 1879 at the age of 52 years. He had previously been honored by the confidence and esteem of the people of his State. He had been the chairman of the State central committee of his party, the speaker of the Connecticut house of representatives, a State senator, the secretary of the State, and the State's attorney of New Haven County. He was a well-known and able lawyer, and had devoted himself more particularly to the law of patents, in which he had attained a high proficiency. He therefore entered upon his duties here, in middle life, equipped with a ripe experience in the law, in politics, in business, and in public affairs. He devoted this fund of knowledge to practical use in his legislative work. He was no theorist. He was not a doctrinaire. He had none of the traits of the visionary or the mystic. He dreamed no dreams and he pur-

sued no chimeras. He insisted upon the facts. He was virile and powerful, mentally and physically. His appearance was most impressive. He was cast in the patriarchal mold. He towered to a height of 6 feet and 4 inches, and his frame and head were as massive and rugged as the granite ledges and crags of his native Litchfield County.

His features were large and somewhat furrowed, and to those who saw him for the first time his countenance was apt to convey a suggestion of austerity. But this effect was relieved by the saving grace of a delicious sense of humor and an inimitable twinkle of the eye. His manner was deliberate, and he was well balanced and at all times perfectly self-controlled. He was patient, industrious, kindly, cautious, and sound. He was preeminently safe and sane. His judgment was excellent and his gift of common sense approached to genius. His temperament was judicial, and he clearly perceived and carefully weighed every phase of a question. With his clear vision he penetrated the heart of every problem and discriminated with unerring precision between the vital principles upon which a correct solution depended and the irrelevant and delusive matters which confuse other minds. He was possessed of an intuitive sense as to the wisest course to pursue, which was so accurate as to amount almost to prescience. He despised shams, hypocrisy, and pretense. He was straightforward, sincere, and reliable. He was a man of sterling integrity, and was as honest with himself as with his fellows. It was as impossible to deceive him as it was for him to attempt to deceive others. He was inspired with high ideals and was endowed with a deep religious nature. His logical mind moved with the mathematical accuracy of an adding machine, and the most complicated questions were reduced and clarified in the fervent crucible of his intellectual analysis. He was intensely human and was always glad to cloak the faults of others with the broad mantle of charity. He was passionately fond of nature. The sound of the brooks tumbling down their rocky beds, the rustle of the leaves in the woods, the songs of birds, the voices of the wild things, the variegated tints of the foliage, the odors of flower and fern and moist glade, the sunshine and shadow, the dying monarch of the forest and the springing bud, the sunset skies, the majesty of the snow-capped mountain, the abyss of the dark canyon, the rolling prairie, the river sweeping away into the distance, the vast and heaving ocean, all these spoke to him in a language of music and poetry to which every fiber of his soul was attuned and to which it responded with joy and gratitude.

Among all the honors, the battles, and the triumphs of his life, continued far beyond the three score years and ten allotted by the Psalmist, the home of his boyhood and the wild scenery and stalwart people of his native Litchfield County lay closest to his heart. In the free, open air of this beautiful section, as he whipped the brooks and hunted its game, he developed that magnificent character which never knew a stain and that splendid courage which never surrendered a principle. Here he imbibed that wholesome nature, that childlike faith, that moral standard and stamina, that indomitable will, that fine perception, that shrewd insight, that independence and love of personal liberty, which made him a tower of strength and a very present help in time of trouble.

Mr. President, in the death of Senator PLATT Connecticut lost her ablest and most distinguished public servant, this body one of its wisest and most trusted counselors, and the nation one of its soundest statesmen. He always dared to act as he believed. He never compromised with expediency. He was a great man—in stature, in brain, in character, in influence, in deeds, and in righteousness. Upon his first election to the Senate, now twenty-seven years ago, at a reception given him by his friends and neighbors in the city of Meriden, he spoke a few simple words which can not fail to touch us deeply now, and which formed the mainspring of his public and private life. He said:

I thank you, my friends, for this kind reception. This is neither the time nor the place to make a speech, and yet I think I would be lacking in the common feeling of humanity if I did not express to you in some way the gratitude I feel for the respect you have ever shown me. It touches me, coming as it does from you who have known me longest and best—the men I have lived with these twenty-eight years. I have lived a somewhat transparent life. You know what I have done and what I have failed to do. It is this that makes this demonstration the more acceptable and touching to me. I think no man could have lived in a place so long and have been more sensible of the kindly feeling entertained toward him than I. I want to thank all my friends, but especially my Meriden friends. They were not politicians, but were full of love and devotion and labored for my welfare without hope of reward, and such kindly feeling and disposition touches me to the heart. Their faith makes me rejoice more at their gratification than my success. Just now everything is new and seems unreal. I can scarcely appreciate the future. How I shall bear myself, how I shall walk in the new path in which I am set, time will show. I do know that I shall try to do right as I see the right, and I have faith to believe that this will bring me through to the end without discredit to you, to myself, or to the State. My friends, this is no place for an

announcement of my political views. I have in the course of my life dealt and received many hard political blows, but I have always tried to act right and shall so continue. I thank you again for your kindness, and I trust that all your expectations with reference to me will not be disappointed. Good night.

How clearly and beautifully his character shines through these simple and informal remarks to the friends and neighbors who had gathered to do him honor, and how abundantly and splendidly he justified the confidence which had been reposed in him!

Mr. PLATT was a progressive and constructive legislator. He made no pretense to oratory, and yet his clear thought was couched in terse Saxon phrase and delivered with an earnest force which was closely akin to eloquence and carried greater conviction. Whatever attitude he assumed upon a public question was the result of his honest, deliberate judgment, and this was evinced in every tone, gesture, and look. He had an abiding faith in the institutions, the people, and the destiny of this country, and, in turn, he was loved and trusted by the people whose confidence he always retained. He cared nothing for wealth, but everything for men. He was liberal, tolerant, charitable, sympathetic, and of infinite patience and unflagging zeal. His influence upon men and measures was always helpful and salutary. The loss of such a man is indeed a public calamity. But his character and the lesson of his career are immortal and invaluable. We revere the memory of such men, not only for what they did, but for what they were. We need not wait for posterity to look backward through the vista of time for a just appraisal of that character or that life work. He was long ago crowned with the affection of his colleagues and the admiration and gratitude of his constituents. Less than two years before his death the people of his State, irrespective of party or sex, gathered at our beautiful capitol building in the fair city of Hartford and rivaled each other in testifying their affection for him at a great reception given in his honor. To-day we have heard tributes of respect and the loving words which have been spoken by his friends and associates in this great body. Unconsciously we are carried back at this time to the scene in that same capitol at Hartford just one month before the death of Senator PLATT, when he stood by the bier of his beloved colleague of a quarter of a century, Senator Joseph R. Hawley. Senator PLATT said:

Is he dead? No. By our most earnest hopes, by all of our devoutest faith, no. He has but begun to live. In those subterranean cemeteries under the ancient city of Rome—in the catacombs—there are thousands and hundreds of thousands of inscriptions on the slabs which close the resting places of those early martyrs, the faithful ones, or scratched rudely in the plaster above them; but of all those inscriptions which tell of the triumph of faith, of the beyond, one has always seemed to me most significant. It is this—these simple words—"He entered into life." That is what General Hawley has done. We are not here so much to mourn his death, as, it seems to me, to celebrate his birth into a new and a better life; into a field of greater, larger, and more spiritual activities. It is a birthday, not a death day, after all, which brings us together, which knits all hearts in love and sympathy. Henry Ward Beecher so often spoke of death as a coronation. It is. He is crowned now, this friend and comrade of ours, crowned, in the wonderful language of inspiration, by the Almighty "with glory and immortality." Why, then, should we weep? So we will not think of him as dead, but living, and we will think of him as we think of friends whom we sometimes go down to see as they sail away in ships for foreign lands, never expecting to see them with our eyes again, but knowing that they are still in life and in other fields exerting the activities of life. We will say farewell to-day as we commit him to the earth—no; not farewell, but that better word, "good-by"—God be with you—good-by. We will whisper that word "good-by" for the heart feels most, and the lips move not, and the eye speaks the gentle "good-by."

Within a span he, too, had embarked, and we think of him as he thought of Hawley. He had spun life's web to the finish; the fabric was complete.

Let us take to ourselves a lesson,
No lesson can braver be,
Of the ways of the tapestry weavers,
On the other side of the sea.

Above their head the pattern hangs,
They study it with care,
The while their fingers deftly weave,
Their eyes are fastened there.

They tell this curious thing besides,
Of the patient, plodding weaver,
He works on the wrong side evermore,
But works for the right side ever.

It is only when his work is done,
And the web is loosed and turned,
That he sees the real handiwork
His marvelous skill has learned.

Ah, the sight of its delicate beauty!
How it pays him for all its cost!
No rarer, daintier work than his
Was ever done by the frost.

The years of man are nature's looms,
Let down from the place of the sun,
Wherein we are weaving away,
Till the mystic web is done.

Sometimes blindly—but weaving surely,
Each for himself his fate;
We may not see how the right side looks,
We must often weave—and wait.

Mr. President, in the ripeness of a vast experience and in the fullness of earthly honors, with every duty performed and every obligation redeemed, he has entered into the joys of the blessed. His services in this Senate will be treasured among its proudest memories, and his fame and his career will always remain as a sacred legacy and an inspiring example to the people of his State. As we are in and of a world of mysteries, who knows but that to-day, not afar off, but very near, and in this very presence, the mighty who have heretofore sat within these walls, are silent spectators of these solemn proceedings, having put on immortality in the effulgence and glory of the choir invisible?

Mr. President, I ask for the adoption of the resolutions.

The VICE-PRESIDENT. The question is on agreeing to the resolutions submitted by the senior Senator from Connecticut. The resolutions were unanimously agreed to.

Mr. BULKELEY. Mr. President, as a further mark of respect to the memory of our former colleague, I move that the Senate adjourn.

The motion was unanimously agreed to; and (at 4 o'clock p. m.) the Senate adjourned until Monday, April 23, 1906, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, April 21, 1906.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.
The Journal of yesterday's proceedings was read.

NATIONAL QUARANTINE.

The SPEAKER. On yesterday the House insisted on its amendment to Senate bill 4250—the quarantine bill—and assented to the request of the Senate for a conference. The Chair appointed the conferees—one of them Representative DAVEY of Louisiana. The Chair is reliably informed by his colleagues and others that Representative DAVEY is not in the city and will not be for some days. Therefore the Chair appoints, vice DAVEY of Louisiana, Representative BARTLETT.

ST. ELIZABETH'S ASYLUM.

Mr. GROSVENOR. Mr. Speaker, I present a privileged report. The Committee on Rules reports back the resolution of the House No. 277 with a substitute, with the recommendation for its adoption.

The SPEAKER. The Clerk will read the substitute.

The Clerk read as follows:

Resolved, That the Speaker of the House of Representatives be, and he is hereby, directed to appoint from the membership of the House a committee of five, with full power and whose duty it shall be to make a full and complete investigation of the management of the Government Hospital for the Insane and report their findings and conclusions to the House; said committee is empowered to send for persons and papers, to summon and compel the attendance of witnesses, to administer oaths, to take testimony and reduce the same to writing, and to employ such clerical and stenographic help as may be necessary, all expenses to be paid out of the contingent fund of the House.

Mr. GROSVENOR. Mr. Speaker, I ask for the previous question on the adoption of the resolution.

Mr. WILLIAMS. Mr. Speaker, if the gentleman will reserve the previous question for a moment, I would like to make a statement of about one minute.

Mr. GROSVENOR. I yield to the gentleman.

Mr. WILLIAMS. I would like to state that the report of the Committee on Rules is a unanimous report, joined in by the minority members as well as the majority.

Mr. GROSVENOR. I ask for a vote.

The previous question was ordered; and under the operation thereof the resolution was agreed to.

On motion of Mr. GROSVENOR, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

FURTHER RELIEF FOR SAN FRANCISCO.

Mr. TAWNEY. Mr. Speaker, I offer the following resolution, and ask unanimous consent to its present consideration.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 141) for the further relief of sufferers from earthquake and conflagration on the Pacific coast.

Resolved, etc., That for the further relief of sufferers from earthquake and conflagration on the Pacific coast, as provided in the joint resolution approved April 19, 1906, as amended by the joint resolution

approved April 20, 1906, there is hereby appropriated, out of any money in the Treasury, not otherwise appropriated, the sum of \$1,000,000 or so much thereof as may be necessary; and authority is hereby specifically given to the Secretary of War to use this sum and the former appropriation for this purpose, amounting in all to \$2,000,000, not only to buy additional supplies which may be needed for the relief of the sufferers as directed in said resolutions of April 19 and April 20, but also for the purpose of replacing by purchase such subsistence, quartermaster's, and medical supplies which may have been furnished by the Secretary of War for such relief from the stores on hand for the use of the Army.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, if the gentleman will yield to me a moment, I wish to say that this legislation is of such exceptional and emergency character that it ought to override all preformed conclusions. For that reason I shall not object to unanimous consent for its consideration.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. TAWNEY. Mr. Speaker, I wish to submit and have read, in connection with the resolution, a copy of a letter from the Secretary of War to the President, showing what was done by him in reference to the calamity in California before any action was taken by Congress, and why it is necessary to authorize the expenditure of part of this money for the purchase of supplies, including commissary and medical supplies, so that he can replace those which have already been sent forward to San Francisco. In submitting this copy of the Secretary's letter to the President, I should state to the House that I do so not at the request or upon authority of the Secretary, but upon my own motion, believing that will convey more accurately than I can the necessity for this additional appropriation and the object it is intended to accomplish. I should also state that the Secretary informed me that, while he suggested an additional appropriation of one million, he was advised that the President would recommend a million and a half additional. But, Mr. Speaker, I thought that, inasmuch as the House desires to conclude the consideration of the District appropriation bill, and for that purpose wanted to go into the Committee of the Whole, I would offer this resolution now, and when we receive the recommendation of the President we can then take such action and make such additional appropriation as the House may deem necessary.

The SPEAKER. The Clerk will report.

The Clerk read as follows:

WAR DEPARTMENT,
Washington, April 21, 1906.

MY DEAR MR. PRESIDENT: The situation at San Francisco is such as to require an additional appropriation from Congress to meet the necessities of the people of that stricken city who are immediately in need of shelter and food. The War Department has rendered all the assistance possible, beginning its orders as soon as the first telegram was received from General Funston, about midnight of the 18th instant. Indeed, a telegram was sent by Assistant Secretary Oliver to General Funston immediately upon the receipt of the news of the earthquake, on the morning of the 18th, directing him to render all assistance possible. From the night of the 18th of April all the available stores of the Army, of three departments, have been used for relief purposes, assuming that the action of this Department would be ratified by Congress, in accordance with precedents in similar cases.

The memorandum of the General Staff, which accompanies this letter, shows the telegrams received from General Funston, which gradually developed the extent of the terrible disaster and increased the amount of supplies of every kind needed.

All subsistence and quartermaster supplies and all medical stores of every kind which were in the military depots in San Francisco were destroyed, except the local supplies for the troops stationed at the post at the Presidio, at San Francisco. Accordingly, everything had to be ordered from a distance. There are now on the way by special express trains from every available and convenient point where they were stored 900,000 rations, which means the rations for 900,000 soldiers for one day. The value of these rations is estimated by the Commissary-General to be \$198,000. Two hundred thousand of these rations have probably reached San Francisco this morning, in charge of commissary officers.

The Quartermaster's Department has expressed by special train wall tents, conical tents, hospital tents, and storage tents for the shelter of 100,000 people; 100,000 blankets, 7,500 mattresses, 15,000 bed sacks, and 8,000 cots, part of which have already reached San Francisco from the immediate vicinity, and all of which are hastening to the city by special trains, which have been given precedence over passenger trains.

The quartermaster supplies already delivered in San Francisco, or en route by special express trains in charge of competent military quartermasters, amount in value to \$1,031,734.40.

The medical bureau of this Department has sent five carloads of medical supplies from St. Louis by express, in charge of competent medical officers and hospital stewards. The estimated value of these medical supplies is \$50,000.

It is estimated that the cost of transportation for all these supplies amounts to \$150,000, so that the cost of that which has already been done in the matter of relief for San Francisco is \$1,429,734.40.

On the 19th Congress passed the following resolution:

Resolved, That the Secretary of War is hereby authorized and directed to procure, in open market or otherwise, subsistence and quartermaster's supplies, in addition to such supplies belonging to the military establishment and available, and issue the same to such destitute persons who have been rendered homeless or are in needy circumstances as a result of the earthquake which occurred April 18, and the pending conflagration, and in executing this joint resolution the Secretary of War is directed to cooperate with the authorities of the State of California and the mayors of the cities in San Francisco, Berkeley, Oakland,

Alameda, and such other cities on the Pacific coast as may have sustained damage.

"Be it further resolved, That the Secretary of the Treasury, the Secretary of the Navy, and Secretary of Commerce and Labor are hereby directed to cooperate with the Secretary of War in extending relief and assistance to these stricken people herein referred to, to the extent of the use of the naval vessels, revenue cutters, and other vessels and Government supplies under their control on the Pacific coast.

"Be it further resolved, That to enable the Secretary of War to execute the provisions of this joint resolution there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000,000, to be expended under the direction and under the discretion of the Secretary of War."

On the 20th, at my suggestion, the resolution was amended so as to include medical supplies, as follows:

"Resolved, That the appropriation of \$1,000,000 made by joint resolution approved the 19th instant, entitled 'Joint resolution for the relief of sufferers from earthquake and conflagration on the Pacific coast,' shall be available, under the discretion of the Secretary of War, to procure medical supplies, in addition to such supplies belonging to the military establishment, and issue the same in like manner as the subsistence and quartermaster's supplies specifically mentioned in the joint resolution aforesaid."

I have the honor to recommend that Congress be requested to appropriate \$1,000,000 more, in order to meet the cost already incurred over and above the \$1,000,000 appropriated, and to enable the War Department to purchase such additional supplies as may be needed for the purpose.

The present resolution authorizes the expenditure of money for the relief of San Francisco. The supplies which have been sent have been taken out of the regular Army depots, and were necessary for the support and use of the Army. I respectfully suggest therefore that in the next resolution, which I hope Congress may pass, specific authority be given to the Secretary of War to use both the \$1,000,000 already appropriated and the amount which may be appropriated in the recommended resolution, either to purchase supplies for the relief of San Francisco or to replace by purchase the supplies taken from the regular Army stores for such relief purposes.

I inclose the form of resolution which will accomplish the result sought.

I attach the memorandum of the Chief of Staff, the report of the Quartermaster-General, and the report of the Commissary-General, with their accompanying telegrams and estimates. I also attach a memorandum from the Surgeon-General as to his operations and needs.

The loss of the valuable subsistence, quartermaster's, and medical stores assembled in the depot at San Francisco for use at the Pacific posts and in the Philippines will require a very considerable deficiency estimate in order that they, in addition to the stores now being used for the relief of San Francisco, may be replaced.

The loss may be approximated as follows:

Commissary stores	\$150,000
Quartermaster's stores	2,941,472
Medical stores	357,391
Total	3,448,863

I shall submit estimate for these at a later date.

Very respectfully, yours,

WM. H. TAFT, Secretary of War.

The PRESIDENT.

Mr. UNDERWOOD. Will the gentleman from Minnesota yield to me?

Mr. TAWNEY. I will yield to the gentleman from Alabama five minutes.

Mr. UNDERWOOD. Mr. Speaker, I am heartily in favor of this resolution. I think that the American people will thoroughly approve of the action of Congress in making this appropriation and the one that was made the other day. But in making the appropriation I think Congress, even in case of an emergency of this kind, should look to its duty and protect the money of the people. Now, I have the very highest regard and admiration for the gentleman who is Secretary of War. I believe thoroughly in his honesty and integrity, but I do believe that when the Congress of the United States makes an appropriation of a large sum of money, not only for our protection but for the protection of the people for whom we have made the appropriation, we should see that it is properly expended for their benefit. Under these circumstances, this being an emergency resolution, I would not offer, and I do not think it would be proper that it should come from this side of the House or from that side of the House, to interfere with the gentleman from Minnesota by offering an amendment to an emergency resolution of this kind. I appeal to him to do this; here are \$2,000,000 that we appropriate for a specific purpose to help these suffering people. I think this resolution should clearly carry a provision that after it is expended the Secretary of War should report to the Congress what has been done with that money and how it has been expended. I think that is not only in the interest of good government, but I think it is in the interest of the people for whom we are making the appropriation, in order that it may be safeguarded and see that it goes to them and no one else. I do not offer an amendment, but I offer the suggestion to the gentleman from Minnesota in charge of the bill.

Mr. TAWNEY. Mr. Speaker, all of the money that has been appropriated or will be appropriated by this resolution, except \$500,000, has already been expended in this way. The Secretary of War immediately on receiving the news of this terrible disaster, ordered supplies, quartermaster's stores, and medical supplies shipped to San Francisco. The aggregate value shown by

the statement which has been submitted—the aggregate value of the supplies already taken out of the Government storehouses—amounts to about \$1,492,000.

This appropriation is for the purpose of enabling the Secretary of War to replace those supplies which have been thus taken from the storehouses and warehouses under the jurisdiction of the Secretary of War. The purchases authorized by the resolution will have to be made in accordance with the provisions of law governing such purchases. In other words, about \$1,492,000 is necessary to replace the supplies that have already been shipped from Government storehouses, and these supplies will have to be purchased under the same conditions, under the same law that the original supplies were purchased.

Mr. UNDERWOOD. I grant the gentleman all that.

Mr. TAWNEY. So that the Government is amply protected, and the report will have to be made of these purchases under the law as is required in other cases.

Mr. UNDERWOOD. I do not understand the law that way. This is a specific appropriation for an emergency, and, as I understand it, there is no law that would require the Secretary of War to report the expenditure of this money back to Congress.

Mr. TAWNEY. If the gentleman will permit me, I will say this: He is aware of the fact that the supplies which the Secretary of War has already shipped to San Francisco were purchased by appropriations made in the general appropriation for that purpose. Now, this resolution authorizes the Secretary of War to use so much of this million dollars as is carried by this resolution, and all of the appropriation carried by the previous resolution adopted by Congress in the purchase of supplies, under existing law, to replace those which have been taken out. So it leaves a little over \$500,000 which the Secretary of War would be able to authorize to use for the relief of these people, and a report of that expenditure will unquestionably be carried in the annual report of the Secretary.

Mr. UNDERWOOD. The gentleman from Minnesota does not understand my proposition.

Mr. TAWNEY. I am afraid that the gentleman from Alabama has not comprehended my statement.

Mr. UNDERWOOD. I understand that a great deal of the supplies that have been purchased and are to be shipped for the relief of these people are already the property of the Government and that new supplies are to be purchased in place of them, and we want to know where the supplies are sent, who gets the benefit of them, how they are distributed, who is responsible for the distribution; and that report should be made to Congress, not only in the matter of honest administration of the Government, but as a matter of protection to the people for whom the money is being spent.

Mr. TAWNEY. Mr. Speaker, I do not think that that is at all practical or necessary. The people of the United States, who are to-day contributing millions of dollars for the relief of the people of San Francisco and neighboring cities, are not exacting an itemized statement from the people of San Francisco to show the persons to whom they are giving relief and I do not think the Government of the United States should do it.

Mr. PAYNE. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Minnesota yield to the gentleman from New York?

Mr. TAWNEY. I yield to the gentleman from New York.

Mr. PAYNE. Mr. Speaker, I would like to ask the gentleman from Minnesota [Mr. TAWNEY] if it is not a fact that every dollar of this expenditure will be audited by the Auditor and a report made to him as to the entire expenditure, and every dollar of it will pass through the same ordeal as every dollar of the hundreds of millions that we appropriate to be expended by the Departments from year to year?

Mr. TAWNEY. It will, unquestionably.

Mr. PAYNE. So there is no occasion to make this a special case in that respect.

Mr. TAWNEY. And I want to say further that the Secretary of War informed the committee this morning that not a dollar of this money will be given to anyone to expend except the bonded officials of the Government of the United States who are engaged in the distribution of the quartermaster's stores and supplies under the control of the Army.

Mr. GAINES of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. TAWNEY. I yield to the gentleman.

Mr. GAINES of Tennessee. Mr. Speaker, one of the points, and I think the main point, the gentleman from Alabama [Mr. UNDERWOOD] makes is this: No one objects to the appropriation—no one could do it under the circumstances—but it is to see that the money that we appropriate is actually used and certainly used to help the people that need the help. In other words, that no middleman gets in and gets the benefit of the

money and that the victim of the earthquake gets it. That is the point he makes.

Mr. TAWNEY. If the gentleman from Tennessee [Mr. GAINES] had listened to my statement to the gentleman from Alabama [Mr. UNDERWOOD]—

Mr. GAINES of Tennessee. I listened, and I am always glad to listen to the gentleman.

Mr. TAWNEY. He would know that \$1,500,000 worth of supplies, the property of the Government, has already been shipped and is now on the way to San Francisco.

Mr. GAINES of Tennessee. No one disputes that.

Mr. TAWNEY. And \$1,500,000 of the \$2,000,000 which we will have appropriated by this resolution will be used in the purchase of supplies for the Army to take the place of those supplies which the Army has thus shipped.

Mr. GAINES of Tennessee. I fully understand that.

Mr. TAWNEY. Those purchases must be made under existing law by advertising.

Mr. GAINES of Tennessee. I understand that.

Mr. TAWNEY. And there is no question about the expenditure of the money at all.

Mr. GAINES of Tennessee. Who is going to see that the victims get the benefit of this money? That is the point of the gentleman from Alabama [Mr. UNDERWOOD].

Mr. TAWNEY. The men in charge of distributing supplies of the Quartermaster's Department, under the command of the Army officers in charge or in command at San Francisco, will have to distribute these supplies, and we are informed by the Secretary of War that his organization there is amply sufficient for the distribution of these supplies to the people who are in need of them.

Mr. GAINES of Tennessee. Just a moment more and then I am done. Is there a law now requiring that officer who distributes on the ground floor this food and raiment to make a report to the Secretary of War or Congress?

Mr. TAWNEY. Certainly. The Secretary of War will require a complete detailed report.

Mr. SLAYDEN. Mr. Speaker, I will say to the gentleman from Minnesota [Mr. TAWNEY] that it was impossible to hear all that was said over here, but I think, so far as I could catch his reply, he was undertaking to explain to the gentleman from Alabama [Mr. UNDERWOOD] and to the House that all of the details of the expenditure of this appropriation will be made in the usual way by the bureau chiefs under whom it will be expended. Am I correct?

Mr. TAWNEY. Yes.

Mr. SLAYDEN. And that this is merely an emergency appropriation to supply a deficiency which will be created in the Quartermaster's Department and the Medical Department, and so on, and that we will have the usual military reports from the bureau chiefs, itemized in every particular.

Mr. TAWNEY. Yes; and audited by the Auditor of the War Department.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The question was taken; and the joint resolution was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. TAWNEY, a motion to reconsider the last vote was laid on the table.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GILLET of Massachusetts. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House for the further consideration of the bill H. R. 18198—the District of Columbia appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the District appropriation bill, with Mr. DAIZELL in the chair.

Mr. KEIFER. Mr. Chairman—

Mr. MUDD. Mr. Chairman, I want to say before the Clerk begins the reading of the bill I want to offer a formal amendment to have a letter read.

Mr. KEIFER. I would yield to the gentleman for a request, but not for the purpose of reading. I want to call attention, Mr. Chairman, to the inadvertent action, as I understand it, of the House last evening in the matter of messengers for the six courts of the District of Columbia. I am not certain whether it is subject to a motion to amend or not, but it is proposed to amend a part of the paragraph under the head of "Court-houses, District of Columbia," so as to provide for seven messengers instead of three. What I wish to say is that when this matter was under discussion yesterday there was a wrong impression

created in the House and acceded to by all around, growing out of a statement made by gentlemen who apparently knew, that the judges of these courts, each of them, had three bailiffs and one crier. I understand that the gentlemen who made that statement on yesterday have been advised that they were entirely mistaken about it and that the courts in this District, none of them, have a bailiff or a crier, or have in the past had either, and I therefore ask unanimous consent to go back and have that matter reviewed as to that proposition so that these judges may have the messengers who are absolutely essential to the conduct of the court. I wish to say also in that connection that the messengers they have had hitherto have acted as criers; that they take charge of juries, and that there are no bailiffs at all and never have been in these courts. There is a section of the code (188 as I now recollect) that provides for bailiffs, but none were ever appropriated for, as I understand it, and none were ever appointed and there are none now and there will be none unless we appropriate for them.

If we appropriate for one messenger for one court, he will serve the court and take charge of the jury and do the errands of the attorneys trying cases and all the other necessary things to be done. I understand, and I think it will not now be disputed, that we acted entirely under the impression, both in the Committee on Appropriations and in this House, that they had criers when we cut the messengers down to three—three having to serve six courts in different rooms, all divided, and some of the court rooms are on different floors, making it absolutely impossible for three messengers to perform the duties that are usually required and necessary for the conduct of the courts.

Mr. FITZGERALD. Mr. Chairman, reserving the right to object, I wish to make a very brief statement in reply to the gentleman from Ohio. In the sundry civil bill a year ago, appropriating for the ensuing fiscal year, there is a provision to defray the expenses of the supreme court of the District and circuit courts of the United States, including the district court of the Territory of Hawaii and the supreme court and court of appeals of the District of Columbia, and other courts, and among the things appropriated for these various courts I find the following:

For pay of bailiffs and criers, not exceeding three bailiffs and one crier in each court, except in the southern district of New York.

In the sundry civil bill as brought into the House last year the Committee on Appropriations had inserted a provision that the expense of the supreme court of the District of Columbia and court of appeals, and for all the expenses, "including pay of bailiffs and criers," should be borne, half by the District of Columbia and half by the Federal Government. That provision went out on a point of order, so that the expenses are still provided by the Federal Government. In the legislative bill just passed the House there is a provision for six stenographers—one for the chief justice and one for each justice of the supreme court. There is authority of law, and appropriation has been made for three bailiffs and one crier in these courts, and if they have not got them it is no fault of this House or of Congress, and for that reason—

Mr. KEIFER. I want to ask the gentleman whether he pretends to say now—I understand his excuse for the statement of yesterday—that any of the courts of the District of Columbia ever had a bailiff?

Mr. FITZGERALD. I say now that Congress has specifically appropriated for three bailiffs and one crier for each court in the District.

Mr. KEIFER. In that the gentleman is mistaken, but it was sufficient excuse for his statement of yesterday.

Mr. MUDD. Mr. Chairman, I move to strike out the first word; I can not move to strike out the last word.

Mr. KEIFER. Mr. Chairman, I ask unanimous consent to go back—

Mr. FITZGERALD. I object to the request of the gentleman from Ohio.

Mr. KEIFER. I think the gentleman ought not to do that, in view of what he put in the Record yesterday, and I know on the best authority, which I ask him to see, that there were no bailiffs in past years and there are none now.

Mr. FITZGERALD. If I may have permission to say so—

Mr. KEIFER. The gentleman did say it yesterday.

Mr. FITZGERALD. If I may have permission, I wish to make one statement to the gentleman from Ohio.

Mr. KEIFER. I do not object.

Mr. FITZGERALD. The gentleman states that I made an erroneous statement. I repeat again for the benefit of the gentleman, who does not seem to be able to appreciate the force of the statement, that I have here the sundry civil appropriation bill for the present fiscal year, in which there is a pro-

vision for not exceeding three bailiffs and one crier in each of these courts.

Mr. KEIFER. That was not your statement of yesterday.

Mr. NORRIS. I would like to ask the gentleman a question.

Mr. FITZGERALD. Certainly.

Mr. NORRIS. The gentleman stated yesterday that each one of these judges has a private stenographer besides the one that reported the court proceedings. Does the sundry civil bill say that also?

Mr. FITZGERALD. No, it does not. Until this year these private stenographers were paid out of the appropriation for miscellaneous expenses. This year in the legislative appropriation bill, which has already passed the House, provision is made for these six stenographers, one for the chief justice, and one for each other justice, at \$900 each.

Mr. NORRIS. Are these in addition to the regular court reporters?

Mr. FITZGERALD. They are private secretaries. They are private secretaries to the judges.

Mr. NORRIS. But do these reporters report the court proceedings?

Mr. FITZGERALD. They are private secretaries.

Mr. KEIFER. I have the authority of the judges themselves that these stenographers do all the reporting and that there is no other reporter.

Mr. FITZGERALD. The gentleman's information is so much at variance with mine that we evidently will not be able to agree. I object to his request.

Mr. KEIFER. I asked the gentleman to go and talk with the judges about it, but he would not do it.

The CHAIRMAN. The gentleman from New York [Mr. FITZGERALD] objects to the request for unanimous consent made by the gentleman from Ohio [Mr. KEIFER].

The Clerk will read.

Mr. MUDD. Mr. Chairman, I move to strike out the first word. I can not strike out the last word, because that is a part of an amendment that has been agreed to. Now, Mr. Chairman, in order to bear out the contention which I made yesterday afternoon, and which is made by the gentleman from Ohio [Mr. KEIFER] this morning, I wish to take this opportunity to put in the RECORD a letter which I have received from one of the judges, and I want to say that the letter was received in response to a request for information made by myself. The judges have not been hanging around this building; they have not been having these attendants running around as if they were "pets," as some gentleman was gracious enough to say yesterday afternoon; but the information was given to me, as shown by the letter, in response to a request which I made on my own volition.

The CHAIRMAN. The Clerk will read the letter.

Mr. BUTLER of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BUTLER of Pennsylvania. Did not we pass upon this section yesterday?

Mr. MUDD. We did not finish it.

Mr. BUTLER of Pennsylvania. Is there a motion to set aside what we did on yesterday?

The CHAIRMAN. Unanimous consent to set aside our action of yesterday was refused. The gentleman from Maryland is now speaking to an informal amendment. The letter will be read in the gentleman's time.

Mr. WILLIAMS. Is the matter that the gentleman from Maryland desires to put into the RECORD relative to the matter about which the gentleman from Ohio [Mr. KEIFER] asked unanimous consent?

Mr. MUDD. That is true.

The CHAIRMAN. The gentleman from Maryland is speaking to an amendment to strike out the first word, and he asked to have the letter read by the Clerk in his time as part of his remarks. The Clerk will read.

The Clerk read as follows:

SUPREME COURT OF THE DISTRICT OF COLUMBIA,
JUSTICE'S CHAMBERS,
April 20, 1906.

Hon. S. E. MUDD,
House of Representatives.

MY DEAR SYDNEY: Referring to your inquiry in regard to the "assistant messengers," as they are designated in the appropriation bill, I have to say that these employees are improperly described in said bill. They are "messengers for each court in special term" and are so described by the act of Congress approved March 3, 1901, known as the "Code of the District." By this act the court is authorized to appoint a messenger for each court. There are six courts—two equity, two criminal, and two law—sitting separately all the time excepting during the summer vacation, when the several judges take turns in holding the several special terms. These messengers have been provided by

Congress for more than twenty-four years, one for each separate court. To those of us who are familiar with the descriptions of court officers in the several States, they would be more properly called "bailiffs," as there are no bailiffs provided by law for the court and these men discharge such duties as are performed by bailiffs, in addition to numerous other duties. For example, they clean and care for the rooms of the individual judges; go to the law library for books for use in court; run errands during trials for the judges and counsel; attend to the ventilation of the court-rooms; put water in the coolers; assist in preserving order in the court, and get the lunches for the respective judges at noon, the recess taken being too short to enable us to leave the building. In short, they are busy from the time court convenes until it adjourns with the numberless duties which the conduct of litigated cases imposes.

If the committee would take the pains to investigate, it would find, I am satisfied, that the courts of this District have a much smaller number of court officials than the courts of any other city in the country. To take away these court messengers, who receive the small salary of \$60 per month, half of which is paid by the District, would be to sacrifice the convenience of litigants, lawyers, and judges. To reduce the number from seven to three would be equally unreasonable, as there are six courts in continuous session and each requires a messenger. The seventh is for the use of the marshal's office, and surely no one familiar with the business there transacted could question the necessity of a man for that office.

You may use this letter as you please.

Very sincerely,

ASHLEY M. GOULD.

Mr. MUDD. Now, Mr. Chairman, just one word. It occurs to me possibly there may have been some mistake in this matter, arising out of the fact that the District courts are not only United States courts, but perform the functions of the ordinary common-law courts. Possibly somebody has made a construction under which the provision of the sundry civil bill that has been referred to may have not been applied to the salaries of these bailiffs. At any rate, the bailiffs have never been provided. In addition to the information contained in the letter which has been read, the chief judge of the supreme court, Justice Clabaugh, has informed me that they never had bailiffs, and certainly they could not have had them, or he and his associate, Justice Gould, would not have so stated.

Mr. PALMER. Mr. Chairman, what are the vocations of these officers that are standing around in the District courts and performing the duties of bailiff? What are they called?

Mr. MUDD. That letter states that these are messengers, and are known as such, but they act as bailiffs, and that letter states the absolute fact.

Mr. PALMER. There are three or four officers standing around doing the duty of bailiffs; I do not know what they are called, but they are there, for I have seen them there myself.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. MUDD. I ask two minutes more.

Mr. GILLET of Massachusetts. I object to any further discussion.

Mr. MUDD. I move to strike out the last two words.

The CHAIRMAN. The Chair will state that on yesterday, by order of the committee, all debate on this paragraph and amendments was closed.

Mr. CRUMPACKER. I desire to offer an amendment, Mr. Chairman, to the paragraph. I understand the paragraph under the title of "Court-house, District of Columbia," is the one that was read last. I move to insert after the word "each," on line 18, page 65, this language:

And six messengers, at \$720 each.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

After the word "each," line 18, page 65, insert "and six messengers, at \$720 each."

Mr. FITZGERALD. I raise the point of order against that amendment. The committee has already passed upon that question.

The CHAIRMAN. The gentleman will state his point of order. Debate has been ordered closed.

Mr. FITZGERALD. An amendment was offered to insert three messengers. An amendment to that was offered substituting seven for three. The committee defeated the amendment to the amendment, and adopted the original amendment. Now, if the gentleman wished to amend the original amendment, his amendment should have been offered before the vote was taken upon the original amendment. The committee having inserted as a new provision, after attempt at amendment, a provision for three messengers, it is too late for the gentleman to offer his amendment. An amendment was offered and pending, to which an amendment was offered. That amendment to the amendment was defeated. The gentleman then had his opportunity to offer further amendment; but not claiming that right, the committee proceeded to adopt the original amendment, and I submit it is too late now to offer it.

The CHAIRMAN. The gentleman from New York understands that the amendment offered by the gentleman from In-

diana is not an amendment to the amendment which was adopted, but is an independent amendment to the text.

Mr. FITZGERALD. I make the further point that they are not authorized by law. The bill now has a provision for three messengers.

Mr. CRUMPACKER. I desire to correct my amendment and insert the word "four" instead of the word "six;" so as to read "four messengers, at \$720 each."

The CHAIRMAN. Without objection, the amendment will be corrected.

The Clerk read as follows:

After the word "each" insert "and four messengers."

Mr. CRUMPACKER. Now, Mr. Chairman, on the point of order, this amendment is an independent, substantive amendment. It may not, if it shall be adopted, be the best grammar or rhetoric, but the paragraph now stands providing for three messengers, at \$720 each. I propose a new and independent amendment, after the word "each," in line 18, to provide for four messengers, at \$720 each, so the paragraph will read, if this amendment shall be adopted, "four messengers, \$720 each; three messengers, \$720 each." It is not an amendment to an amendment. I do not see why that would not be good legislation, though it should be rather poor grammatical arrangement. I think the point of order made by the gentleman from New York is not well taken, and it seems to me that the amendment is in order.

Mr. FITZGERALD. The gentleman can not do by indirection what he can not do directly, and the effect of the attempt to amend the provision regarding messengers was determined yesterday by the committee. The gentleman had his opportunity at the proper time to offer an amendment to the original amendment to incorporate into the bill the provision for messengers. He has lost the right by not taking advantage of his right at the proper time.

The CHAIRMAN. The Chair thinks the amendment offered by the gentleman from Indiana is an independent amendment. Whether it makes consistent text or grammatical text or anything else is not a question of order that the Chair can determine, but is a question of good sense, to be determined by the committee itself. The Chair therefore overrules the point of order. The question is on the amendment offered by the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. GILLET of Massachusetts) there were—ayes 42, noes 66. So the amendment was rejected.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having taken the chair, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to return to the House of Representatives, in compliance with its request, the bill (S. 1975) granting an increase of pension to Mary E. Dugger.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 4925. An act to amend the act approved March 6, 1896, relating to the anchorage and movements of vessels in St. Marys River;

S. 1308. An act granting an increase of pension to Emille Grace Reich; and

S. 1248. An act granting a pension to Elizabeth B. Bean.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 5639. An act to provide for the erection of a public building at San Juan, Porto Rico;

S. 4774. An act relating to the movement and anchorage of vessels in Hampton Roads, the harbors of Norfolk and Newport News, and adjacent waters, in the State of Virginia;

S. 3139. An act for the relief of Lorenzo A. Bailey; and

S. 1274. An act to provide for the purchase of a site and the erection of a public building at Washington, N. C.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Board of charities: For secretary, \$3,000; clerk, \$1,200; stenographer, \$1,080; messenger, \$600; one inspector, \$900; six inspectors, at \$720 each; four drivers, at \$600 each; hostler, \$540; traveling expenses, \$200; in all, \$13,340.

Provided, That from and after July 1, 1906, all appropriations under the general head of "Charities and corrections," any portion of which is payable from the revenues of the District of Columbia, for medical charities, for child-caring institutions, for temporary homes, and for other institutions of like character, shall be expended under the direction of the Commissioners of the District of Columbia, and shall be

disbursed by the disbursing officer of the District of Columbia upon itemized vouchers duly audited and approved by the auditor of said District, in the manner now prescribed by law: *Provided further*, That nothing herein contained shall in any way affect or alter the method of settlement and payment now existing between the District of Columbia and the Treasury Department of the United States for reimbursing appropriations payable wholly from the revenues of the United States for expenditures on account of the care, support, maintenance, and education of patients, inmates, and pupils belonging to the District of Columbia at the Government Hospital for the Insane, the Freedmen's Hospital and Asylum, the Reform School, District of Columbia, and the Columbia Institution for the Deaf and Dumb, which expenditures are chargeable to District of Columbia appropriations.

Mr. GROSVENOR. Mr. Chairman, I make the point of order against so much of the paragraph as begins on line 15, page 66, and ending at line 12, page 67, on the ground that it is confessedly new legislation.

The CHAIRMAN. The Chair sustains the point of order. It is clearly new legislation.

The Clerk read as follows:

REFORMATORIES AND CORRECTIONAL INSTITUTIONS.

For Washington Asylum: For superintendent, \$1,500; visiting physician, \$1,080; resident physician, \$480; clerk, \$840; property clerk, \$840; baker, \$600; principal overseer, \$1,200; fifteen overseers, at \$600 each; engineer, \$600; assistant engineer, \$480; second assistant engineer, \$360; engineer at hospital for seven and one-half months, at \$50 per month; engineer at new workhouse for seven and one-half months, at \$50 per month; two watchmen, at \$480 each; two night watchmen, at \$548 each; blacksmith and woodworker, \$500; carpenter, \$500; driver for dead wagon, \$365; hostler and driver, \$240; keeper at female workhouse, \$300; keeper at female workhouse, \$180; hospital cook, \$600; chief cook for workhouse, \$600; four assistant cooks, at \$180 each; trained nurse, who shall act as superintendent of nursing, \$600; two graduate nurses, at \$365 each; graduate nurse for receiving ward, \$365; two nurses for tuberculosis wards, at \$365 each; six orderlies, at \$300 each; pupil nurses, not less than twenty-one in number, \$1,500; registered pharmacist, who shall act as hospital clerk, \$720; gardener, \$540; herdsman, \$365; florist, \$300; tailor, \$120; temporary labor, not to exceed \$3,000; in all, \$34,561.

Mr. BARTLETT. Mr. Chairman, I move to strike out the last word. I see there is a provision in the bill for various appropriations for "a new workhouse," "keeper at female workhouse," and various references are made for the appropriation for "a workhouse." I would like to ask the gentleman what criminals are sentenced to the workhouse and what kind of work is required of them? From an examination of the Code of the District of Columbia, adopted by Congress, I see that the police court tries persons accused of petty offenses without a jury, and it has the right under the laws of the United States to sentence persons convicted in such courts to jail or workhouse. I see further, by section 1192 of the Code of the District of Columbia, that prisoners sentenced to imprisonment in the jail or the workhouse may be employed at such labor under such regulations as may be prescribed by the supreme court of the District.

I am not undertaking to attack the appropriations. I am seeking information, if I can get it, as to what criminals are sentenced to the workhouse and by what court, and what kind of work they do.

Mr. GILLET of Massachusetts. I understand that prisoners sent to the workhouse are sent from the police court here in the city of Washington. Many of them work outside, and the gentleman from Georgia has very likely seen them working on the streets.

Mr. BARTLETT. That is the information I am seeking. I was undertaking to get at it in an authoritative way. I understand that men—and women, too, I judge, for there is an appropriation made here for a female keeper at the workhouse—are sentenced to the workhouse by the police court in the city of Washington. They are sent there, among other things, for violating the ordinances of the city of Washington and petty police regulations. I understand that those criminals who are sentenced to a fine, or an alternative fine, are confined in the workhouse, and those who are sentenced to jail for a certain length of time may be sent to the workhouse, and from the workhouse or the jail may be required to work upon the roads or streets in the District of Columbia.

Mr. GILLET of Massachusetts. That is the practice.

Mr. BARTLETT. I want to state to the gentleman the reason of my inquiry. I have no attack to make on the appropriation, and no attack to make on that method or manner of punishment; but in the State where I live we have a similar provision, by reason of a statute of the State of Georgia. That system of punishment of criminals who violate city ordinances has been the subject of severe criticism and investigation at the hands of a member of the Federal judiciary. I wanted this information so that the country might know that those of us who live in Georgia, and whose laws are administered in the manner I have stated, are simply following the rule of punishment for violation of city ordinances that is prescribed by a law of Congress for the government of the capital of the country. I simply want the country to know that the city of

Macon and other cities in Georgia prescribe a punishment similar to that provided for in the District of Columbia by the laws of Congress.

[Here the hammer fell.]

Mr. BARTLETT. Mr. Chairman, I would like two minutes more.

The CHAIRMAN. The gentleman from Georgia asks that his time be extended two minutes. Is there objection?

There was no objection.

Mr. BARTLETT. I desire to call attention to this, because I want the people of the country to know that in spite of the attack that has been made upon this system of punishment similar to the one that is inflicted here for the violation of city ordinances in the police court at Washington, the capital of the United States, such punishment is not an unusual one. It is one that is administered all over the country and by the police courts of most of the cities of the land. That was my purpose in seeking for the information, and I am glad that I have got it before the country, so that the people may know that in disposing of the criminals in cities for the section of the country where I live we do not violate the law of the land or the custom in administering the laws. We simply follow that well-known, well-established rule which exists in England, and has existed all over the land, in all the cities of the land, and these petty misdemeanors, violations of the city ordinances, are punished in Washington just like they are punished in Macon, Ga.

MESSAGE FROM PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. CURRIER having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

MEDICAL CHARITIES.

To enable the board of charities to provide for care and treatment of, and free dispensary service to, indigent patients, under contracts or agreements to be made with hospitals and dispensaries, and in carrying into effect this appropriation the board of charities may contract with any hospital or dispensary existing in the District of Columbia April 1, 1906, and organized or established prior to that date, and with no others, \$104,000; and the board of charities shall report to Congress at the beginning of its next session the terms of all contracts or agreements made hereunder up to December 1 next, the institutions with whom made, and the amount per annum involved in each contract or agreement.

Mr. KEIFER. Mr. Chairman, I offer an amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 71, line 20, after the word "dispensaries," insert "including the Home for Incurables."

Mr. GILLET of Massachusetts. Mr. Chairman, we have no objection to this amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

Mr. KEIFER. Now, Mr. Chairman, affecting only the same thing, after the word "dispensary," in line 22, add the words "or said home," simply to make it harmonious.

Mr. GILLET of Massachusetts. Mr. Chairman, I have no objection to that amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

That the disbursing officer of the District of Columbia is authorized to advance to the agent of the board of children's guardians, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners of the District of Columbia may require of said agent, sums of money not exceeding \$200 at one time, to be used for expenses in placing and visiting children, or traveling on official business of the board, to be accounted for monthly on itemized vouchers to the accounting officers of the District of Columbia.

Mr. GROSVENOR. Mr. Chairman, I make the point of order against the paragraph beginning at line 13 on page 73 and ending at the end of line 22 on the same page. It is new, distinctive, and substantive legislation.

Mr. GILLET of Massachusetts. Mr. Chairman, will the gentleman allow me to ask him a question?

The CHAIRMAN. Does the gentleman yield?

Mr. GROSVENOR. Yes.

Mr. GILLET of Massachusetts. May I ask the gentleman why he strikes that out? I can not conceive of any objection to it.

Mr. GROSVENOR. I do not want to have any new legislation introduced into this bill.

Mr. GILLET of Massachusetts. The gentleman simply does it for the technical reason that it is new legislation?

Mr. GROSVENOR. Yes.

Mr. GILLET of Massachusetts. Of course, that is the gentleman's right if he wishes to take the responsibility.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For the care and maintenance of children under a contract to be made with the German Orphan Asylum by the board of charities not to exceed \$1,000.

Mr. BARTHOLDT. Mr. Chairman, I desire to offer an amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

In line 13 strike out "one thousand" and insert "twelve hundred."

Mr. GILLET of Massachusetts. Mr. Chairman, we will accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

For temporary Home for ex-Union Soldiers and Sailors, Grand Army of the Republic, namely: For superintendent, \$1,000; janitor, \$360, and cook, \$360; maintenance, \$3,280; in all, \$5,000, to be expended under the direction of the Commissioners of the District of Columbia, and ex-soldiers and sailors of the Spanish war shall also be admitted to the Home.

Mr. BISHOP. Mr. Chairman, I submit the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 75, line 25, after the word "thousand," strike out the words "two hundred and eighty" and insert in lieu thereof the words "seven hundred and eighty," so as to read, "three thousand seven hundred and eighty dollars."

Mr. BISHOP. Mr. Chairman, the amendment I propose simply restores the amount that they received under the last bill. They very much need this money. They are already compelling the old soldiers to live on short rations so that they can have money enough to carry them through the present year. They need every dollar and more. I hope the amendment will be agreed to.

Mr. GILLET of Massachusetts. We will accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

WATER METERS.

For the purchase, installation, and maintenance of water meters to be placed in such private residences as may be directed by the Commissioners of the District of Columbia; said meters at all times to remain the property of the District of Columbia; to be repaid from revenues of the water department at the rate of \$20,000 per annum, beginning with the fiscal year to end June 30, 1908, \$100,000.

Mr. SIMS. Mr. Chairman, I would like to have an explanation of this from the chairman of the subcommittee.

Mr. GILLET of Massachusetts. Mr. Chairman, the present condition of the water service in the District of Columbia is such as to make the Commissioners apprehensive that in a very short time, unless the use of water can in some way be diminished, there will be compelled to be a new reservoir and new aqueduct. It was also brought before the committee that at present the use of water in Washington is 220 gallons per person per day, which is three or four times as much as is considered necessary, and very much more than ordinary cities average. It appeared to us that the only way in which we could diminish this wasteful use of water was to put in meters, which are very simple and reliable contrivances. This will not increase the cost of the water to the users, and they will ultimately be paid for by the users of water, although originally paid for out of the District fund.

Mr. DRISCOLL. Mr. Chairman, has the gentleman inquired what the practice is in other cities—whether or not the consumers pay for the meters in the first instance?

Mr. GILLET of Massachusetts. Generally they do in other cities, but we thought it was fairer here to have the District pay for them in the first instance, and for this reason: That to compel poor people to pay the whole expense of a meter—from \$10 to \$20—at its original insertion will be quite a burden upon them, whereas if at first the District put it in and the consumer ultimately paid for it it would be a fairer method. Then we also understand that it would improve the quality of the water that we are now using; that the water which is used through a filtration plant when that plant is used nearly to its limit is apt to be impure if the supply is largely diminished, and if it is

not used nearly up to its limit the water is of much better quality. So, both for the quality of the water and the economy of the water, we thought this was necessary, and it seemed to us it was exceedingly necessary that it should be done now, because in the last year there were times when we reached the limit of supply and the use on some days really was greater than the aqueduct was bringing into the city.

Mr. DRISCOLL. Is it intended under the operation of this law that the consumers shall pay a certain proportion each year, so that hereafter, in a certain number of years, they will finally own the meters?

Mr. GILLETT of Massachusetts. No. The consumers do not pay it. The city advances the money. Then the consumers pay water rent, and those rents will be made slightly larger, so that ultimately the meters will all be paid for out of the water rent and the city will still own the meters, but the users will have paid for it by a very slight increase upon their water taxes.

Mr. SIMS. Mr. Chairman, what would be a reasonable amount of water a day?

Mr. MADDEN. Sixty gallons.

Mr. SIMS. For a family?

Mr. GILLETT of Massachusetts. Sixty gallons for each person—per capita.

Mr. SIMS. What about business houses where—

Mr. BURLESON. They have meters now.

Mr. GILLETT of Massachusetts. And hotels.

Mr. SIMS. And they are charged according to the water they use?

Mr. GILLETT of Massachusetts. Yes.

Mr. SIMS. This applies only to private residences.

Mr. BURLESON. I desire to supplement the statement made by the gentleman from Massachusetts by this statement: The information was brought to us that in the larger residences during the winter time frequently the faucets were permitted to be open and the water to run all the night in order to prevent the freezing of the pipes, and that in the small residences during the summer time the faucets were permitted to remain open in order that the occupants might have cooler water, resulting in a terrific useless waste of water.

Mr. PALMER. What is the average daily consumption?

Mr. BURLESON. Two hundred gallons per capita.

Mr. DRISCOLL. Who owns the meters already installed?

Mr. GILLETT of Massachusetts. In the large apartment houses the people themselves put them in.

Mr. DRISCOLL. I do not believe in the city paying for meters.

Mr. GILLETT of Massachusetts. The city does not pay for them ultimately.

Mr. SIMS. This is what I am concerned about: Will the use of meters and the paying for water in proportion to the water used have a tendency to reduce the proper and normal use of water among the poor people so as to affect sanitary conditions?

Mr. GILLETT of Massachusetts. I do not think it will.

Mr. MANN. Everybody knows it will. Of course it does wherever it is tried.

Mr. SIMS. That has been my theory, and I do not think we ought to do anything to bring about such a condition.

Mr. MANN. It prevents the use of water in bath tubs and elsewhere wherever tried.

Mr. GILLETT of Massachusetts. Our theory was this: The increased cost will be so very slight that it will not prevent any family from using all they need, but it will simply prevent leaving spigots open all night or all day. That is the only way that the enormous use of water can be prevented.

Mr. SIMS. But the spigots are left open in hot weather by poor people in the summer time.

Mr. GILLETT of Massachusetts. They are left open in cold weather, too.

Mr. SIMS. But the larger houses leave them open in cold weather to keep the pipes from freezing.

Mr. GILLETT of Massachusetts. Small houses have more danger of the freezing of pipes.

Mr. SIMS. That is the statement of the gentleman from Texas.

Mr. GILLETT of Massachusetts. I do not agree with him on that.

Mr. SIMS. The poorer classes leave them open in summer in order to have cooler water to drink.

Mr. GILLETT of Massachusetts. I understand that both classes leave them open.

Mr. SIMS. These people who want cool water to drink, I understand, are so poor they can not afford to buy ice. I am in favor of economy in a proper way in all these kind of things, but I am opposed to any regulation that will tend to produce insanitary conditions.

Mr. GILLETT of Massachusetts. I agree with the gentleman heartily.

Mr. SIMS. I would like to hear from the gentleman from Illinois [Mr. MANN] on that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Without objection, the time of the gentleman will be extended.

There was no objection.

Mr. BURTON of Delaware. About what is your estimate of cost per thousand gallons by the meter system?

Mr. GILLETT of Massachusetts. I can not tell the gentleman that.

Mr. MADDEN. About 8 cents.

Mr. BURTON of Delaware. Do I understand you to say that no family would be deprived of all the water they wanted to use?

Mr. SIMS. That is what I wanted to know.

Mr. FITZGERALD. If the Chairman will permit, the Commissioners stated they had placed meters in their own houses as a test, and they found out by the use of the meters in their own houses their water bill had been slightly reduced from the charges that had been fixed for a hundred or a thousand gallons, or whatever it was, and from what it had been at the rate fixed by frontage, and that they had ample supply of water, without any effort to unreasonably curtail it; and they averaged about 60 gallons per capita.

Mr. MANN. The Commissioners' test in their own houses is pure nonsense. A great many tests have been made in the country that are much fairer than the test made by the three District Commissioners by putting water meters in their own private residences. They were watching themselves and intending to make no difference in the use of water. Wherever they use meters in the large department buildings throughout the country the owners take every possible method to prevent the use of water.

Mr. SIMS. Does the gentleman have any knowledge of whether or not water meters have tended to such decrease in the use of water as to produce unsanitary results?

Mr. MANN. That is a matter of opinion.

Mr. MADDEN. Here is a question that was asked of the Commissioners about the cost of the water that went through the meters:

Mr. MADDEN. How much per thousand gallons do you charge where the water runs through the meter?

Commissioner BIDDLE. Three cents a thousand gallons.

He said 3 cents per thousand gallons. Ordinarily they charge 8 cents, but at this place they charge 3.

Mr. MANN. Ordinarily they charge 8 cents for 10,000 gallons.

Mr. DRISCOLL. How much does that come to for an ordinary family?

Mr. MADDEN. Suppose that a family should use 60 gallons a day for each person in the family, and there were five people in the family, that would be 300 gallons, and that multiplied by 365 would make about a hundred thousand gallons, would it not?

Mr. DRISCOLL. How much does that come to per year?

Mr. MADDEN. That would be about \$3 a year.

Mr. MANN. They charge three times as much here for water as they do in the city of Chicago, where they use meters, and the meter rate in Chicago is nearly twice or three times as much as the frontage rate.

Mr. SIMS. What will it cost an ordinary dwelling house to have these meters?

Mr. MANN. In an ordinary dwelling house, that is fitted with bath tubs, in this city, where the bath tubs are used, with the ordinary wastage and plumbing, it will cost \$20 a year.

Mr. SIMS. With the meter?

Mr. MANN. With the meter.

Mr. MADDEN. Here is what is said in the hearings:

Mr. FITZGERALD. Take a house 25 feet wide and three stories high. Can you give an idea of the water rate for that?

Colonel BIDDLE. About \$7.50.

Mr. GILLETTE of Massachusetts. You now mean?

In reply to that he said that it would be reduced, if the meter was introduced, from \$7.50 to \$5.

Mr. SIMS. Do they not have to include an extra charge to pay for this meter?

Mr. MADDEN. No. I asked this question:

How much per thousand gallons do you charge where the water runs through the meter?

Colonel Biddle replied:

Three cents per 1,000 gallons. I may state that when I lived in Nashville I paid \$24 a year water rent, and now in Washington, while I am occupying a house about the same size, I pay only \$7.50.

Mr. SIMS. He does not pay by meter here.
Mr. MADDEN. He does. Mr. FITZGERALD asked him this question:

But you were not Commissioner when you lived in Nashville?

[Laughter.]

And Mr. Macfarland said:

I would like to say for the record that while I am strongly in favor of putting in meters in all residences, I would like very much to see the entire National Government service metered just as the large business establishments are. I do not believe the excessive consumption is by the private water takers.

Mr. SIMS. I want to ask this question about that. Suppose this \$100,000 is expended; how long will it be until we have to increase the permanent water facilities anyway?

Mr. MADDEN. A fair estimate is that if all the houses in the District secured their water by meters now, it would add four times the present capacity to the water plant. It would make the plant four times bigger than to-day, because they assume that 60 to 65 gallons per capita would be the quantity of water used, whereas to-day it is 220 gallons.

Mr. SIMS. Mr. Chairman, I saw this morning—

Mr. MANN. I ask unanimous consent that the time of the gentleman from Massachusetts be extended for five minutes.

Mr. GILLETT of Massachusetts. I do not care to occupy further time.

Mr. SIMS. I noticed this morning in the newspapers that a bill had been reported in the Senate for \$1,000,000 to buy some park extensions, and while we are adding to our free shade area, which is extraordinarily large already, I am constrained to say that I do not think we ought to reduce the free use of water; and therefore I make the point of order against the section.

The CHAIRMAN. It is too late to make the point of order.

Mr. SIMS. Was not that agreed to, that there was to be no advantage taken of it?

Mr. GARDNER of Michigan. I would like to say to the gentleman—

Mr. SIMS. I wish to reserve the point of order for further discussion of this question.

Mr. GARDNER of Michigan. The whole object of this meter, I say to the gentleman from Tennessee, is not to deprive the people of all the water that they would properly use. It is simply to prevent an improvident waste of water on the one hand, instead of incurring a large expense for new service, new conduits, new reservoirs, which, if the water is not wasted, will not be needed for years.

Mr. SIMS. How many years?

Mr. GARDNER of Michigan. Why, in the opinion of the engineer before the committee, he said an indefinite time; but certainly for a number of years. Otherwise, if it is not done, an appropriation must be made at once for a resurvey, if we allow the people to go on wasting the water that they do not use and do not pay for. They take advantage here, as in many other things, of the liberality of those controlling the water system to waste it, not to use it. This is simply to prevent waste.

Mr. SIMS. Mr. Chairman, I am not in favor of wasting the water, but would rather have some waste than an insufficient use of the water, and that is what I am afraid of. I have no objection to legislation on an appropriation bill, but I do not want anything that will have a tendency to cause the poorer people to be cut off from the fullest use of water for drinking, bathing, and for cleansing purposes, or any other possible healthful use of it.

Mr. GARDNER of Michigan. The proposition is not to cut it off from the poor people, but to cut off the waste.

Mr. SIMS. If they are so poor that they can not buy ice, and let it run so as to get it cool, certainly they would not use enough for proper, healthful purposes. If this \$100,000 is appropriated, you have got to wait until that money is returned; and it is only a little while before you will have to have increased water facilities. It is only a little while ago since we spent an immense sum of money for a filtration plant, which was represented would be entirely sufficient to give an abundance of good, pure, and healthful water. Now that filtration plant has hardly been put in operation, and hardly had an opportunity for the preliminary filtration plant to be tried, before we are asked for another addition to the filtration plant. It is reported to us that that filtration plant, which was represented to us would be sufficient, has proven insufficient.

Mr. WILEY of New Jersey. The gentleman is mistaken about that. It has not proven to be insufficient, but in case of a flood—which we have not had for the last few years, in case we had one—it would not be sufficient.

Mr. SIMS. Then it is proved that it is not sufficient.

Mr. WILEY of New Jersey. Sufficient for the present.

Mr. MANN. But if you have the rains as we have them now? Mr. WILEY of New Jersey. You will get muddy water if you do not use the coagulant.

Mr. GILLETT of Massachusetts. May I make a suggestion to the gentleman?

Mr. SIMS. Yes.

Mr. GILLETT of Massachusetts. The gentleman seems to be troubled with the idea that in any event we are only postponing for a short time the installation of a duplicate water plant; but it seems to me that, as a matter for mathematical calculation, we are now using 220 gallons per capita. If we reduce that to 70 gallons per capita, which is a reasonable amount, that is only a third as much. Therefore the water which now supplies our city, only a third of it being used, will supply a city three times as big as this; so that the present water supply will be sufficient for the city until it is three times as big as it is now, or, say, twice as big as it is now. That will certainly be a great many years hence, and considering the enormous expense—and a new water supply is one of the most frightful expenses any city ever has to pay—if we can save it by such a comparatively economic system as this, it seems to me it is extremely desirable.

Mr. MANN. Will the gentleman yield for a question?

Mr. GILLETT of Massachusetts. Yes.

Mr. MANN. What proportion of the houses in Washington would this appropriation supply with meters?

Mr. GILLETT of Massachusetts. I do not know, but I understand about 10,000 houses.

Mr. MANN. It would not supply 10,000 at the rate the gentleman says they cost. I will say to the gentleman that they can not install meters at \$10 apiece, or anything like that.

Mr. FITZGERALD. I do not think we can.

Mr. GILLETT of Massachusetts. Say \$15 apiece.

Mr. MANN. It will cost \$10 apiece to put them in, and then there would be the comparative cost between the few who had the meters and the people who did not have the meters while this system is being installed.

Mr. FITZGERALD. If the gentleman will permit me to explain just what this amendment does. At present all of the revenues from the water service are appropriated indefinitely for a continuation of the water service of the District. Five thousand dollars was heretofore appropriated to install meters in private residences, and that has been done. The result has been satisfactory, not only to the officials, but to the people in whose residences the meters have been installed.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FITZGERALD. I should like to have the time of the gentleman from Michigan [Mr. GARDNER] extended five minutes, so that I can complete my statement. [Laughter.]

Mr. MANN. The gentleman from Tennessee [Mr. SIMS] had the floor.

The CHAIRMAN. The gentleman from Michigan [Mr. GARDNER] was recognized. Unanimous consent is asked that he may be allowed to proceed for five minutes. Is there objection?

There was no objection.

Mr. FITZGERALD. The Commissioners now ask that this action be taken. The water revenues at present are required for the necessary extensions of mains, and they ask that the Federal Government advance \$100,000 to the District, so that water meters may be installed, and that the District repay that \$100,000 out of the water revenues in five payments. Now, the committee were satisfied—

Mr. MANN. This is a good deal worse than I supposed it was.

Mr. FITZGERALD. Oh, no.

Mr. MANN. The Federal Government is to make a loan to the water department.

Mr. GILLETT of Massachusetts. I do not think that statement is entirely accurate. It comes out of the appropriation.

Mr. FITZGERALD. It comes half from the District and half from the Federal Government. The advance is made by the District and Federal Government to the water-revenue fund. The committee was satisfied that either one of two things had to be done: Either they had to commence to consider now the advisability of duplicating the present aqueduct system—that is, building a new aqueduct from Great Falls, with the necessary increase in reservoir accommodations—or else attempt by some means to reduce the consumption of the water. It was shown that the per capita consumption per day here is 220 gallons; that in other cities a reasonable consumption per capita is 60 to 70 gallons. From the experience already had, it is believed that the installation of the meters would reduce the consumption and at the same time, with the people using all the water that was necessary, the cost of water to the consumer would be slightly decreased.

Mr. WALDO. Mr. Chairman, I desire to say that I know there is now a bid to furnish water meters in the Isthmian Canal Zone, as good meters as can be had in the market, at \$7 apiece, delivered at the Isthmus of Panama, and I believe they can be delivered and installed here at certainly not to exceed \$10 apiece. They certainly could be installed here for \$10 instead of \$15 apiece.

Mr. MANN. Mr. Chairman—

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized.

Mr. MANN. Mr. Chairman, it is probably true that the water consumption in the District of Columbia is comparatively large. It is to that fact that we owe the beauty of the District. The gentleman from Tennessee is afraid that the putting in of meters will have an insubstantial effect. I will tell the gentleman from Tennessee that it will have a much wider effect than that. The moment that you install meters in a city, as a rule, they quit sprinkling the lawn. Why should a man who has a lawn and wants to keep it green pay for an extra amount of water at the same rate that the man pays for water consumed in the family?

Mr. MADDEN. I would like to ask the gentleman if he does not know it to be a fact that in the city from which he comes the authorities charge the householder for the use of the hose, in addition to the price paid for the water when they use the hose?

Mr. MANN. They charge \$3 a year for the use of the hose, but the amount of water that is consumed at the meter rates amounts to \$10 or \$15 a year. I took up this matter once before and made an investigation of it. There is not a place where a water meter is put in but that it does not restrict the use of water for legitimate purposes, whether it be for the lawn or the bath tub. The principal waste of water, let me say, is not letting the water run in the summer time in order to get it cool nor in the winter time for the purpose of preventing it freezing. That is an exceptional thing. They let it run a little while in the summer time to let the hot water out of the pipe and they let it run in some cases, perhaps, in the winter time, but the principal waste is through improper plumbing. I will guarantee that there are more than 60 per cent—yes, 75 per cent—of the closets in this town to-day leaking water all the time and no effort made to stop it. The water running continuously either through the faucets or through the closets is where the waste of water comes, and the District makes no effort to stop it in the inspection of plumbing or in any other respect.

Mr. DRISCOLL. Is it not true that the people, if they have to pay for water through meters, if there is defective plumbing will see to it and correct it themselves? They will have the plumbing repaired and look after it more carefully. Water flowing into the sewers because of defective plumbing is waste, is it not?

Mr. MANN. That is pure waste, but this is not the only way to correct that waste. That can easily be corrected by any sort of inspection.

Mr. DRISCOLL. Each individual should inspect his own plumbing.

Mr. MANN. That is true.

Mr. HEPBURN. I would like to ask the gentleman a question.

Mr. MANN. I will yield to the gentleman from Iowa.

Mr. HEPBURN. I would like to ask the gentleman if he doesn't think that the committee made a mistake and commenced at the wrong end with the meters? Why not put the meters at the hotels and livery stables?

Mr. FITZGERALD. They are there now.

Mr. MANN. All of the large establishments have meters. A few years ago I put a meter in an apartment building in the city of Chicago, and I pay more in that building for water for a little flat than you pay for a house in this town, or for a house in Chicago, for that matter. I do not know but that there ought to be a system of meters installed gradually, but the water rates ought to be lowered at the same time when the meter is put in. The water rate where a meter is put in will average three times the amount that is paid on the frontage rate, and if we install meters we should put down the rates, so that people will be encouraged to use the water.

Mr. DRISCOLL. I would like to inquire why the water meters have been installed in the hotels and apartment houses and livery stables—whether they were installed by the people themselves for economy's sake or whether they were forced upon them?

Mr. PERKINS. It stops waste.

Mr. MANN. I can tell the gentleman. There is no way to measure water in a large hotel or livery stable except through

a meter. There is no other way of getting at the consumption of the amount as there is in a private family by the front foot.

Mr. DRISCOLL. But if they pay so much a year it makes no difference in the cost to them whether they use 100 gallons or 1,000,000 gallons.

Mr. PERKINS. No; but when they have a meter they do not use as much as when they pay a lump rate.

Mr. DRISCOLL. I wanted to know whether they were put in by themselves for the sake of economy or whether they were forced upon them.

Mr. MANN. The District requires them to put in meters, because there is no way of ascertaining the amount of water used in a livery stable except by a meter.

Mr. KEIFER. I would like to ask the gentleman from Illinois by what authority he states that it is easy to measure the use of the quantity of water in private families where they own front lawns and one man and the members of his family may keep the hose going all day?

I know cases where they use twice as much water on one lawn as they do on the next adjoining.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MANN. I did not say it was easy to ascertain the amount. I made no such statement as that.

Mr. KEIFER. The gentleman said substantially that.

Mr. MANN. Oh, I beg the gentleman's pardon. I made no such statement as that. The gentleman is usually wrong when he quotes me.

Mr. KEIFER. And the gentleman from Illinois is usually mad when he finds he is in a hole. [Laughter.]

Mr. MANN. Oh, the gentleman from Illinois never could get mad at the gentleman from Ohio [Mr. KEIFER], whatever else he got mad at.

Mr. KEIFER. Yes; he does, for I was in good humor. [Laughter.]

Mr. MANN. Well, it is so exceptional that the gentleman is otherwise that of course he must have been in good humor. The gentleman always insinuates that somebody else is mad, and he is about the only man in the House I have ever seen really angry. [Laughter.]

Mr. KEIFER. I don't know when that was, and I would like to have the gentleman call the witnesses.

Mr. MANN. Oh, they are here and there and everywhere. What I said was that there was no other way of measuring the amount to be charged at livery stables or hotels. At houses they measure by the frontage and the size of the house, and while it is true that does not measure the amount of water used, it is some basis of measurement, which can not be used at a livery stable or at a hotel with any fairness. Now, I do not say that water meters ought not to be installed, but I say that this matter has not received the consideration that it ought to have, because it is a serious problem. Provide water meters, and you cut off four times out of five the use of water for either sprinkling the streets in front of the houses or for the lawns in front of the houses or for the care of the plants around the houses which is one of the beauties of Washington. Water ought to be and is cheap. Air is cheap, and we ought to be able to provide the people with fresh air in the city of Washington and with fresh water—good, clean, wholesome water—the cheapest thing that we can give.

Mr. SIMS. Mr. Chairman, this is a matter that can be brought up in a separate bill and be heard, and then everybody will have an opportunity to inform himself. I am not informed. The only information I have is what I got here to-day. I am sincerely afraid that it will affect the health of the District. We have had an immense amount of typhoid fever, which we seem to have in part got rid of by the filtration plant. Therefore, I reluctantly insist upon the point of order.

The CHAIRMAN. The Chair will state to the gentleman that no point of order was reserved.

Mr. SIMS. Oh, I think I withheld the point of order.

Mr. KEIFER. Mr. Chairman, I make the point that the gentleman made his point too late.

Mr. GILLET of Massachusetts. Mr. Chairman, out of fairness to the gentleman I must say this, and I trust no Member of the House will interfere with the agreement I made with the gentleman, that I made an agreement with the gentleman from Tennessee that when this came up he should ask a question, and that if later he wished to raise the point of order, even after

discussion, I would not then raise the point that it was too late. Therefore I trust that no other Member will do it now.

Mr. KEIFER. Mr. Chairman, I insist that long after this was under discussion the point of order was made. I don't know anything about this private agreement.

The CHAIRMAN. The Chair will state that general debate had been had before any suggestion was made as to a point of order. The Chair can not be mistaken about that for this reason: Before this paragraph was reached the Chair suggested to the clerk at the Speaker's table that there might be a point of order raised to this paragraph, and both the Chair and the clerk at the Speaker's table were waiting alert to ascertain whether such a point would be made or reserved, and it was neither made nor reserved. The Reporter's notes further bear out the statement of the Chair.

Mr. SIMS. Oh, the Chair is correct about that.

The CHAIRMAN. The first sentence uttered by the gentleman from Tennessee, according to the Reporter's notes, was:

Mr. Chairman, I would like to have this explained by the chairman of the subcommittee.

Mr. SIMS. Mr. Chairman, the Chair is entirely correct, but I notified the gentleman in charge of the bill, the gentleman from Massachusetts [Mr. GILLET], chairman of the subcommittee, beforehand that I was going to make a point of order; that I was not satisfied about it. He then suggested that I do not raise the point of order, but that I give him an opportunity to explain it. I told him that I might not object to it after hearing it explained. He asked me if I would not refrain from doing it, and said after explanation I might do so. I said, "It will then be too late." He said, "I think not. Nobody can make it but you, but you can make it." Now, I have done this in the utmost good faith, and notified the subcommittee beforehand, and I have acted in accordance with the agreement with the committee. Of course if the Chair can not carry out that agreement, why, then, the Chair is not to be held responsible; but I did this through a solemn agreement and upon their request.

The CHAIRMAN. The Chair will state that the House can not be bound by an agreement of gentlemen.

Mr. SIMS. Oh, well, I know that, Mr. Chairman. Does any gentleman in this House want to put the committee in that attitude or me in that attitude?

Mr. GILLET of Massachusetts. The gentleman has stated what I tried to state, but the Chair did not understand me. It was an explicit agreement between the gentleman and myself, and the gentleman agreed he would not make the point of order at first, and I agreed if he made it afterwards I would not raise the point of order, and I hope no other Member will. Therefore, I ask unanimous consent that the gentleman now be allowed to make the point of order, and I trust nobody will object.

Mr. CRUMPACKER. Mr. Chairman, in the interest of orderly procedure and to avoid embarrassment on these questions I think it ought to be understood there is but one method to raise the point of order. If we are to respect agreements between Members of the House it will lead to no end of trouble and embarrassment.

Mr. WM. ALDEN SMITH. And a private agreement at that.

Mr. CRUMPACKER. And a personal agreement at that; and I accordingly object to changing the rule.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the point of order to this paragraph be allowed to be made at this time, and to that the gentleman from Indiana objects.

Mr. GILLET of Massachusetts. Mr. Chairman, I think there is but one thing I can do to keep good faith with the gentleman from Tennessee, and although I heartily am in favor of this paragraph and am very sorry to have it go out, I move that the paragraph be stricken out. [Applause.]

Mr. PALMER. It depends upon the committee whether you do that or not.

The CHAIRMAN. The gentleman from Massachusetts moves that the paragraph be stricken out.

The question was taken; and the Chair announced that the yeas seemed to have it.

On a division (demanded by Mr. GILLET of Massachusetts) there were—ayes 38, yeas 16.

So the amendment was agreed to.

The Clerk resumed and concluded the reading of the bill.

Mr. GILLET of Massachusetts. Mr. Chairman, I move that the committee do now rise and report the bill and amendments to the House with a favorable recommendation.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. DALZELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 18198—

the District of Columbia appropriation bill—and had instructed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The SPEAKER. Is there a separate vote demanded upon any of the amendments? If not, the vote will be taken on the amendments as a whole.

The question was taken; and the amendments were agreed to. The bill as amended was ordered to be engrossed and read the third time; and it was read the third time, and passed.

On motion of Mr. GILLET of Massachusetts, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE PRESIDENT.

The SPEAKER laid before the House the following letter from the President of the United States, which was read, and referred to the Committee on Appropriations:

To the Senate and House of Representatives:

I submit herewith a letter of the Secretary of War, with accompanying documents, including a form of a resolution suggested for passage by the Congress.

This letter refers to the appalling catastrophe which has befallen San Francisco and neighboring cities, a catastrophe more appalling than any other of the kind that has befallen any portion of our country during its history. I am sure that there is need on my part of no more than a suggestion to the Congress in order that this resolution may be at once passed. But I urge that instead of appropriating a further sum of \$1,000,000 as recommended by the Secretary of War, the appropriation be for a million and a half dollars. The supplies already delivered or en route for San Francisco approximate in value a million and a half dollars, which is more than we have the authority in law as yet to purchase. I do not think it safe for us to reckon upon the need of spending less than a million in addition. Large sums are being raised by private subscription in this country, and very generous offers have been made to assist us by individuals of other countries, which requests, however, I have refused as in my judgment there is no need of any assistance from outside our own borders—this refusal of course in no way lessening our deep appreciation of the kindly sympathy which has prompted such offers.

The detailed account of the action of the War Department is contained in the appendices to the letter of the Secretary of War. At the moment our concern is purely with meeting the terrible emergency of the moment. Later I shall communicate with you as to the generous part which I am sure the National Government will take in meeting the more permanent needs of the situation, including of course rebuilding the great governmental structures which have been destroyed.

I hope that the action above requested can be taken to-day.

THEODORE ROOSEVELT.

THE WHITE HOUSE, April 21, 1906.

TRANSPORTATION OF DUTIABLE MERCHANDISE WITHOUT APPRAISEMENT.

Mr. ALEXANDER. Mr. Speaker, I desire to call up the bill H. R. 11037 as a privileged bill and ask unanimous consent to have it considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New York calls up the following privileged bill, the title of which the Clerk will report. The Clerk read as follows:

A bill (H. R. 11037) relating to the transportation of dutiable merchandise without appraisement.

The SPEAKER. The gentleman from New York asks unanimous consent that the bill may be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection?

Mr. WILLIAMS. Mr. Speaker, I will be compelled to object.

Mr. ALEXANDER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering the bill H. R. 11037.

The SPEAKER. The gentleman from New York moves that the House resolve itself into the Committee of the Whole House for the consideration of the bill indicated.

The question was taken, and the motion was agreed to; and the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11037) relating to the transportation of dutiable merchandise without appraisement, Mr. HINSHAW in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the privileges of the first section of the act approved June 10, 1880, relating to the transportation of dutiable merchandise without appraisement, be, and the same are hereby, extended to the port of Buffalo, in the State of New York.

Mr. ALEXANDER. Mr. Chairman, the object of this legislation is to enable merchandise, and especially cattle, shipped from Canada to ports in this country to pass immediately through Buffalo to the place of destination without being stopped in Buffalo for appraisement. In other words, it allows goods intended for shipment abroad to pass from Canada through to New York without being held up at Buffalo for appraisement. It seems to be quite necessary that live stock arriving in Buffalo under these conditions should not be unloaded on the way.

Mr. BUTLER of Pennsylvania. It obviates delay?

Mr. ALEXANDER. Yes; that is the real object to be gained.

Mr. MANN. How does that benefit Buffalo?

Mr. ALEXANDER. This bill simply places Buffalo within section 1 of the act of June 10, 1880. All of our large ports are now within this section, and it aids shipments passing through Buffalo.

Mr. PAYNE. I understand from my colleague that he is working for the general interest of the United States and not for the city he represents.

Mr. MANN. That is what I could not understand. [Laughter.]

Mr. ALEXANDER. I may say that Buffalo wants it.

Mr. Chairman. I move the committee do now rise and report the bill to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and Mr. HINSHAW, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (H. R. 11037) relating to the transportation of dutiable merchandise without appraisement, and directed him to report the same to the House with the recommendation that the same do pass.

The SPEAKER. Without objection, the bill will be considered as engrossed and read a third time—

Mr. WILLIAMS. Mr. Speaker, I will be forced to object.

The SPEAKER. That is within the gentleman's province.

The question was taken on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time; and it was accordingly read a third time, and passed.

On motion of Mr. ALEXANDER, a motion to reconsider the last vote was laid on the table.

PRIVATE CALENDAR.

Mr. MILLER. Mr. Speaker, I desire to ask unanimous consent that this day may be designated as Friday, or in place of a Friday, for consideration of bills upon the Private Calendar.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, I shall be forced to object.

TRADE WITH CHINA.

Mr. GRIGGS. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. GRIGGS. To present a privileged report and resolution.

The SPEAKER. The gentleman from Georgia presents a privileged report and resolution, which the Clerk will read.

The Clerk read as follows:

Resolved, That there be printed and bound in paper covers, for the use of the House of Representatives, 10,000 copies of the report on "Trade with China: American Methods and Trade Opportunities in the Markets of the Orient," by Raymond F. Crist and Harry R. Burrill, special agents of the Department of Commerce and Labor, from Monthly Consular and Trade Reports for January, 1906, to be distributed through the folding room of the House of Representatives.

The following amendment was read:

Strike out the word "ten," in line 2, and insert in lieu thereof the word "five."

The SPEAKER. Is the report from the Committee on Printing?

Mr. GRIGGS. Yes, sir.

Mr. PAYNE. I will ask the gentleman if there is any estimate of the cost.

Mr. GRIGGS. Yes, sir; \$80.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was adopted.

ORDER OF BUSINESS.

Mr. PALMER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. PALMER. To call for the regular order.

The SPEAKER. The gentleman from Pennsylvania calls for the regular order.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 1274. An act to provide for the purchase of a site and the erection of a public building at Washington, N. C.—to the Committee on Public Buildings and Grounds.

S. 3139. An act for the relief of Lorenzo A. Bailey—to the Committee on Indian Affairs.

S. 4774. An act relating to the movements and anchorage of vessels in Hampton Roads, the harbors of Norfolk and Newport News, and adjacent waters, in the State of Virginia—to the Committee on Interstate and Foreign Commerce.

S. 5639. An act to provide for the erection of a public building at San Juan, P. R.—to the Committee on Public Buildings and Grounds.

ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. R. 49. Joint resolution construing the joint resolution approved April 19, 1906, entitled "Joint resolution for the relief of sufferers from earthquake and conflagration on the Pacific coast."

LEAVE OF ABSENCE.

Mr. STEVENS of Minnesota submitted a request for leave of absence for two weeks, on account of important business.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, I object.

The SPEAKER. The question is on granting the leave of absence requested by the gentleman from Minnesota. The Chair supposes this would require a motion.

Mr. SMITH of Kentucky. I make the motion that the gentleman from Minnesota be granted the leave of absence requested.

The SPEAKER. The gentleman from Kentucky moves that the gentleman from Minnesota have the leave asked.

The question was taken; and the motion was agreed to.

Mr. PAYNE. I move that the House do now adjourn.

The question was taken; and the Speaker announced that he was in doubt.

The House divided; and there were—ayes 56, noes 43.

Mr. NEEDHAM. I demand tellers.

The SPEAKER (after counting). Twenty gentlemen have arisen; not a sufficient number; tellers are refused; and the House stands adjourned until to-morrow, at 12 o'clock.

Accordingly (at 2 o'clock and 20 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of Commerce and Labor submitting an estimate of appropriations for a light-vessel at Oxford Reef, Oregon—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting, with a copy of a letter from the governor of New Mexico, a copy of a proposed amendment of the law relating to certain lands—to the Committee on the Public Lands, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, submitting an estimate of appropriation for furniture and repairs of public buildings—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. PERKINS, from the Committee on Foreign Affairs, to which was referred the bill of the House (H. R. 6018) to enable the President of the United States to call an international conference for the purpose of securing an international agreement relative to the regulation of the emigration of aliens to the United States, reported the same with amendment, accompanied by a report (No. 3400); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CRUMPACKER, from the Committee on the Census, to which was referred the bill of the House (H. R. 13671) to provide for the taking of a census of agricultural statistics in the year 1906 and every tenth year after the year 1905, reported the same with amendment, accompanied by a report (No. 3402); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GREGG, from the Committee on Naval Affairs, to which

was referred the bill of the House (H. R. 7676) authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a rear-admiral on the retired list of the Navy, reported the same with amendment, accompanied by a report (No. 3401); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SULZER: A bill (H. R. 18498) for the purpose of carrying out the provisions of General Orders, No. 195, War Department, June 29, 1863, for the presentation of medals—to the Committee on Military Affairs.

By Mr. GARDNER of Massachusetts: A bill (H. R. 18499) authorizing the Secretary of the Treasury to pay a sum of money to the Whittier Home Association, of Amesbury, Mass.—to the Committee on the Library.

By Mr. BRADLEY: A bill (H. R. 18500) to authorize the President of the United States to appoint a commission to consider and recommend a system of national parks for military, historical, and for other purposes—to the Committee on Military Affairs.

By Mr. ELLIS: A bill (H. R. 18501) to authorize the construction of a bridge across the Missouri River, and to establish it as a post-road—to the Committee on Interstate and Foreign Commerce.

By Mr. PARSONS: A bill (H. R. 18502) to empower the Secretary of War, under certain restrictions, to authorize the construction, extension, and maintenance of wharves, piers, and other structures on lands underlying harbor areas and navigable streams and bodies of water in or surrounding Porto Rico and the islands adjacent thereto—to the Committee on Insular Affairs.

By Mr. BURTON of Delaware: A resolution (H. Res. 411) providing for the printing of the accounts, papers, and documents in the case of Henry Fisher's services rendered to John Paul Jones—to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BENNETT of Kentucky: A bill (H. R. 18503) granting an increase of pension to John Burns—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 18504) granting an increase of pension to James T. Rambo—to the Committee on Invalid Pensions.

By Mr. COLE: A bill (H. R. 18505) granting an increase of pension to M. Belle May—to the Committee on Invalid Pensions.

By Mr. GUDGER: A bill (H. R. 18506) granting an increase of pension to Mahala Jones—to the Committee on Pensions.

By Mr. HALE: A bill (H. R. 18507) granting an increase of pension to Bailey P. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18508) granting an increase of pension to James F. Foster—to the Committee on Invalid Pensions.

By Mr. HEDGE: A bill (H. R. 18509) granting an increase of pension to Ellen L. Stone—to the Committee on Invalid Pensions.

By Mr. JOHNSON: A bill (H. R. 18510) granting an increase of pension to Hugh R. Rutledge—to the Committee on Pensions.

By Mr. KLEPPER: A bill (H. R. 18511) for the relief of Samuel R. Couch—to the Committee on War Claims.

By Mr. KLINE: A bill (H. R. 18512) granting a pension to Lucian Pottelger—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 18513) granting an increase of pension to Sarah Watts—to the Committee on Invalid Pensions.

By Mr. McLAIN: A bill (H. R. 18514) for the relief of D. H. Chamberlain and Pauline Chamberlain—to the Committee on War Claims.

By Mr. RICHARDSON of Kentucky: A bill (H. R. 18515) granting an increase of pension to Martin Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18516) granting an increase of pension to Jacob T. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18517) to remove the charge of desertion from the military record of Ishmael H. Smith—to the Committee on Military Affairs.

By Mr. SAMUEL: A bill (H. R. 18518) granting an increase

of pension to William W. Wertman—to the Committee on Invalid Pensions.

By Mr. SMYSER: A bill (H. R. 18519) granting a pension to Benjamin W. McCray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18520) granting an increase of pension to Joseph G. Shank—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18521) granting an increase of pension to Katherine McMonigal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18522) granting an increase of pension to Charles D. Ferrell—to the Committee on Invalid Pensions.

By Mr. SULZER: A bill (H. R. 18523) granting an increase of pension to Hugh Reid—to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 18524) granting an increase of pension to Julius Rector—to the Committee on Invalid Pensions.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 18311) granting an honorable discharge to Lewis Presley—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 9236) granting a pension to Albert I. Merrill—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9771) granting a pension to George A. Cooper—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of Local Union No. 80, of the International Union of Flour and Cereal Mill Employees, of Los Angeles, Cal., for a fair trial of the officers of the Western Federation of Miners now under arrest—to the Committee on the Judiciary.

By Mr. AIKEN: Paper to accompany bill for relief of Martha A. Dunlap—to the Committee on Pensions.

By Mr. BATES: Petition of Picking Garrison, No. 4, Army and Navy Union, of Erie, Pa., favoring bill for retirement of noncommissioned officers and men in the Army, Navy, and Marine Corps—to the Committee on Military Affairs.

By Mr. BURKE of Pennsylvania: Petition of Mrs. Alice B. Montgomery, chief probation officer of the juvenile court of Allegheny County, Pittsburgh, Pa., for the bill granting second-class mail privileges to certain charitable, educational, and religious publications—to the Committee on the Post-Office and Post-Roads.

By Mr. BENNETT of Kentucky: Paper to accompany bill for relief of Perry G. P. Brull—to the Committee on Invalid Pensions.

By Mr. BURTON of Delaware: Petition of Lavinia V. Rodney, asking that all accounts, papers, and documents relating to claim of her great-grandfather, Col. Henry Fisher, be sent to Congress and printed—to the Committee on Claims.

By Mr. DE ARMOND: Paper to accompany bills for relief of Elizabeth F. Snyder and Thomas M. Montgomery—to the Committee on Invalid Pensions.

By Mr. DOVENER: Petition of the Woman's Literary Society, of Wheeling, W. Va., of the General Federation of Women's Clubs, for an appropriation to investigate the industrial condition of women in the United States—to the Committee on Appropriations.

Also, paper to accompany bill for relief of Tony Verrosso—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of Edwin A. Abbey and 64 other artists of America, for repeal of the duty on art works—to the Committee on Ways and Means.

By Mr. ESCH: Petition of Edwin A. Abbey and 64 other American artists, for repeal of the duty on art works—to the Committee on Ways and Means.

By Mr. FULLER: Petition of Edwin A. Abbey and 64 other artists of America, for repeal of the duty on art works—to the Committee on Ways and Means.

By Mr. GRANGER: Petition of the League of Improved Societies of Rhode Island, for preservation of Niagara Falls—to the Committee on Rivers and Harbors.

By Mr. GRIGGS: Petition of the Democrat, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. HIGGINS: Petition of the Saturday Club, of New London, Conn., for an appropriation to investigate the industrial condition of women in the United States—to the Committee on Appropriations.

By Mr. HOUSTON: Petition of the Rutherford County (Tenn.) Medical Society, indorsing the control of maritime and interstate quarantine by the Federal Government—to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON: Paper to accompany bill for relief of Hugh R. Rutledge—to the Committee on Pensions.

By Mr. KNOFF: Petition of the Scandia, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. LACEY: Paper to accompany bill for relief of Sarah Watts—to the Committee on Invalid Pensions.

By Mr. LEE: Paper to accompany bills for relief of the Damascus Baptist Church, of Gordon County, Ga.; the Oethcalega Baptist Church, of Adairsville, Barton County, Ga.; the Calhoun Baptist Church, of Gordon County, Ga., and the Calhoun Presbyterian Church, of Calhoun, Gordon County, Ga.—to the Committee on War Claims.

By Mr. LILLEY: Petition of the Troy Gazette-Register and the Mirror, against the tariff on linotype machines—to the Committee on Ways and Means.

By Mr. LINDSAY: Petition of Samuel Irwin, for bill H. R. 5335, for relief of retired naval officers—to the Committee on Naval Affairs.

Also, petition of Mrs. Fannie T. Horen, president of the National Association of Army Nurses, for increase of pension for nurses of the civil war—to the Committee on Invalid Pensions.

Also, petition of Edwin A. Abbey et al., American artists, for repeal of the duty on art works—to the Committee on Ways and Means.

By Mr. LITTLE: Paper to accompany bill for relief of J. M. Wright—to the Committee on War Claims.

By Mr. McCALL: Petition of Rufus F. Herrick, of Winchester, Mass., for the metric system (the Littauer bill)—to the Committee on Coinage, Weights, and Measures.

By Mr. MORRELL: Petition of Edwin A. Abbey et al., artists of the United States, for removal of the duty on art works—to the Committee on Ways and Means.

By Mr. NEEDHAM: Petition of citizens of North San Juan, Cal., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. RHINOCK: Paper to accompany bill for relief of Annie Dinan (previously referred to the Committee on Invalid Pensions)—to the Committee on Pensions.

By Mr. SULZER: Petition of Charles Dersch and Fred W. Hotz, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

Also, petition of the American Free Art League, No. 50 State street, Boston, and 66 leading artists of the country, for repeal of the duty on works of art—to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES.

SUNDAY, April 22, 1906.

The House met at 12 o'clock m., and was called to order by Hon. ALEXANDER McDOWELL, Clerk of the House, who directed the reading of the following letter:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., April 22, 1906.

I hereby designate Hon. JOHN DALZELL, of Pennsylvania, to act as Speaker pro tempore this day.

J. G. CANNON, Speaker.

Mr. DALZELL accordingly assumed the chair as Speaker pro tempore.

The following prayer was offered by the Chaplain, Rev. HENRY N. COUDEN, D. D.:

Infinite source of life and light and love, we thank Thee for that deep and abiding faith which holds us close to Thee through all the vicissitudes of life, for the star of hope which illumines our path when sorrows and disappointments gather thick and fast about us, for the ties of affection which bind us together into families and friendships which time nor space can sever; and as we gather here to-day in memory of those who made for themselves a place in our hearts we thank Thee that their characters, their works, their influence remain an inspiration to those who knew and loved them. Let the everlasting arms be about the dear ones who mourn their absence, and comfort them with the blessed hope of a reunion in a world where sorrows never come. Hear us, in the name of the Lord Jesus Christ our Savior. Amen.

The Journal of yesterday's proceedings was read and approved.

EULOGIES ON THE LATE HON. GEORGE A. CASTOR.

Mr. ADAMS of Pennsylvania. Mr. Speaker, I offer the following resolutions and move their adoption.

The Clerk read as follows:

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. GEORGE A. CASTOR, late a Member of this House from the State of Pennsylvania.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The question was taken; and the resolutions were unanimously agreed to.

Mr. ADAMS of Pennsylvania. Mr. Speaker, I ask unanimous consent that Members have leave for thirty days to print on the memorial services of this day.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent that Members desiring to print on the memorial services of this day shall have leave to do so. Is there objection? [After a pause.] The Chair hears none.

Mr. ADAMS of Pennsylvania. Mr. Speaker, it was my sad duty on the 20th of February to announce the death of my colleague, Hon. GEORGE A. CASTOR, of the Third district of Pennsylvania, and to announce that another time I would ask that a day be set apart for proper consideration of his public services and character. By a special order of the House this day was set apart for that purpose.

The change to holding these memorial services on a Sunday has been a good one. The excitement and interest in pending legislation was frequently not ignored sufficiently, and the services lacked that repose and sanctity that belong to the memory of those gone before.

Mr. Speaker, our late colleague was born at Holmesburg, a part of the city of Philadelphia, on August 6, 1855, of humble but highly respected parentage. He attended the public schools of the village, but early in life entered a cloth house in the city. With that energy which characterized and made a success of his life, he at once proceeded to master the details of the business, and before long gained the reputation of being the best judge of cloth in the country. This knowledge became of vital importance when he determined to enlarge his business as a merchant tailor. This his experience and energy so developed that he soon had large establishments in New York and Boston in addition to his Philadelphia house. Success crowned his efforts, and at the expiration of some twenty years he retired with a moderate fortune, which by his excellent judgment in investments he greatly enlarged in later years.

GEORGE A. CASTOR is a striking example of a class of men of which our country has too few. Instead of retiring and enjoying that ease his work had made possible, he felt he owed some duty to his city and country, and began to take an active part in public affairs. A Republican in principles, he became an active worker in the organization of that party. He served on the city committee for fifteen years, his popularity in his district insuring his continued reelection. On the death of Hon. Henry Burk, representing the Third Pennsylvania Congressional district, some difficulty was experienced in finding a candidate.

The Third Pennsylvania district occupies a peculiar place in American politics. It is peculiar in the history of our country, owing to the record of Samuel J. Randall. With the strong conviction for the doctrine of protection which existed in the city of Philadelphia, Randall stood as the exponent of that wing of the Democratic party which believed in moderate protection. He had so stamped his impress on this district, which, though probably by conviction its constituents were Republicans, with high protective ideas, that his strong personality, honesty, and integrity had broken down party lines to such an extent that for nearly thirty years he was elected an honored Member to this House. Party lines were severed, and it was known as "the Randall district."

I state this fact because at the death of Henry Burk there was some difficulty in finding a candidate who would be sure to be returned as a Representative fully convinced of the soundness of the great doctrine of protection. Many were canvassed, and finally the selection was made of our late colleague, GEORGE A. CASTOR. It takes certain qualifications to carry that district, owing to the peculiar conditions to which I have referred. Mr. CASTOR was chosen, first, for his strong support of the doctrines of the Republican party; second, on account